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University of California

# UC HASTINGS LAW

San Francisco

## ENGAGED IN THE WORLD

Faculty, alumni, and students are leading dynamic intellectual exchanges on the international stage

**PLUS:** Advancing national security / Farewell to Beer on the Beach (for now) / Cutting-edge scholarship

Viviana Walsman '95 is devoted to furthering the human rights of underserved women across the globe.

FALL 2019







MADE IN SAN FRANCISCO. READY FOR THE WORLD.

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→ Ever since its founding in 1878, UC Hastings has been a gamechanging institution in its native San Francisco. Due in no small measure to the city's Pacific Rim location and its proximity to Silicon Valley, the law school has become a thought leader in international and tech-related law. Today, UC Hastings leverages this expertise in vibrant intellectual exchanges that take place in countries across the globe—as well as right here, in its exciting and ever-evolving hometown.



## Upfront

### 04 | From the Dean

### 06 | In Brief

A gala celebration for gamechanging alumni; human rights advocate Akila Radhakrishnan '09; settlements of Holocaust-era class actions litigated by Academic Dean Morris Ratner; faculty in the news; and more.

### 13 | Engaged Scholarship

Professor Robin Feldman tackles runaway prescription drug pricing in her new book; the third edition of *The Judges' Book: Scholarship for the Bench*; and highlights of the faculty's recent scholarly publications.



## Departments

### 5 | For the Record

Highlights from UC Hastings' 138th Commencement.

### 56 | Advancement

A \$1 million gift from stellar alumni-led firm Walkup, Melodia, Kelly & Schoenberger; a gift from the Class of 2019 addresses atrocities of the past; alumni gala raises money for the UC Hastings Hawaii Scholarship Fund; and more.

### 60 | Then and Now

A beloved UC Hastings tradition, Beer on the Beach will hold its last bash at 198 McAllister Street in March 2020.

### 64 | Student Activities

2019 was a banner year for the UC Hastings Moot Court program.



# ENGAGED IN THE WORLD

18

## Global Thought Leaders

In this issue, *UC Hastings* looks at how the law school is playing an increasingly vibrant role on international stages, whether engaging in scholarly exchanges at institutions throughout Germany, advancing the rule of law in nations such as Uzbekistan, or fostering a lively dialogue with foreign-born professionals on the law school's campus. Read on to learn how faculty, alumni, and students such as **Alice Armitage**, **Veena Dubal**, **Jeffrey Lefstin**, **Andrea Lollini**, **Constanza Ortiz '20**, **Katharina Østergaard '16 (LLM)**, **Mai Linh Spencer**, **Yvonne Troya**, **Jessica Vapnek**, and **Viviana Waisman '95** are helping to make the world a better place.



## Point of View

Mieke Eoyang '02, a vice president at Third Way, a think tank in Washington, D.C., talks about her role at the intersection of politics and national security policymaking.

## 44 | Your Class Notes

WHAT'S NEW WITH YOUR UC HASTINGS COLLEAGUES AND CLASSMATES.

→ [uchastings.edu/submit-notes](https://uchastings.edu/submit-notes)

42





# welcome

## Dear UC Hastings Community,

The theme of this year's edition of *UC Hastings* magazine is UC Hastings' impacts on the world stage. On that stage, of course, UC Hastings is a relatively small player. But we have always punched above our weight, both locally and internationally. In fact, it might be our principal defining characteristic.



As the first law department of the University of California, we joined what has become one of the largest, and possibly most prestigious, university systems in the world. Yet, as a stand-alone law school, we benefit from our association with UC, but retain the nimbleness to form partnerships with schools and departments well beyond the UC family. Our network of influence begins in San Francisco but extends to virtually every corner of the globe. Our students,

alumni, and faculty learn from, teach, and help shape the law and policy of multiple countries, from England to China. UC Hastings partners with and hosts students and scholars from major foreign universities in cities as diverse as Regensburg, Germany, and Shenzhen, China. And our alumni work throughout the world, bringing the excellent training they received at UC Hastings to the challenges of a complex and interdependent world.

There are few areas of law that do not have transnational, or international, relevance. Even in that most domestic of areas, the criminal law, the lessons learned from foreign jurisdictions are invaluable—not because the United States should blindly follow the practices of other countries, but because their experience gives us insights as to best practices in our own. The experience of other jurisdictions provides insights as to what might work best with, and be most consistent with, our values and principles. Ultimately, the benefits that flow from an international presence at UC Hastings run in both directions; we are, in that sense, both an importer and exporter of ideas and intellectual content.

As the pages ahead illustrate, UC Hastings is very much a player on the world stage, and our students, faculty, and alumni are having mighty impacts everywhere.

Best regards,

A handwritten signature in blue ink, appearing to read 'David Faigman'.

**David Faigman**

Chancellor & Dean

## **UC Hastings Magazine**

Fall 2019

Volume 12, Number 2

## **Chancellor & Dean**

David Faigman

**Academic Dean** | Morris Ratner

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## COMMENCEMENT 2019 THE URGENCY OF SERVICE

→ On May 11, UC Hastings held its 138th Commencement ceremony at the Bill Graham Civic Auditorium in downtown San Francisco. Former San Francisco Mayor **Willie L. Brown Jr. '58** gave the inspiring keynote address, urging the new graduates to turn their legal education into positive action in the service of the greater good. Other Commencement speakers included Professor **Radhika Rao** and student representative **Melina Hettiaratchi '19**.

“

THE SKILL SET  
WHICH YOU HAVE  
ACQUIRED MUST BE  
A SKILL SET THAT  
YOU BEGIN TO  
USE TO HELP  
CORRECT ALL OF  
THE PROBLEMS  
THAT EXIST IN  
HUMANKIND IN  
THIS NATION ...  
YOU HAVE AN  
OBLIGATION ... TO  
PARTICIPATE AT  
EACH LEVEL.”

—WILLIE L. BROWN JR. '58





## CELEBRATING OUR GAMECHANGERS

→ On May 9, UC Hastings hosted a gala reception at the San Francisco City Club to honor the many gamechanging alumni whose work has had a local, statewide, or global impact. The event, emceed by Joe Cotchett '64, was attended by distinguished faculty members and graduates who have made lasting contributions in diverse fields such as the judiciary, technology, public interest law, public service, and entertainment law.



Joe Cotchett '64,  
founding partner,  
Cotchett, Pitre &  
McCarthy.



Peter Martin Nelson  
'79, principal, Nelson  
Davis; Julia Olson '97,  
executive director,  
Our Children's Trust.



Bruce Simon '08,  
principal, Pearson,  
Simon & Warshaw.

*Read more about our  
Gamechangers at  
[uchastings.edu/gamechanger](http://uchastings.edu/gamechanger).*

Megan Cesare-  
Eastman '07, senior  
litigation counsel,  
Airbnb; Simona  
Agnolucci '06,  
managing partner,  
Wilkie Darr  
Gallagher, San  
Francisco office.



Professor Radhika  
Rao; Adam Zapala  
'06, partner,  
Cotchett, Pitre &  
McCarthy.



Jane and Marvin  
Baxter '66, former  
Associate Justice  
of the Supreme  
Court of California;  
Carin Fujisaki '85,  
associate justice,  
California First  
District Court of  
Appeal; Professor  
Rory Little; Elias  
Batchelder '06, dep-  
uty public defender,  
Office of the State  
Public Defender.



## CONNECTING PAST AND PRESENT IN HOLOCAUST-ERA CLASS ACTIONS

ACADEMIC DEAN **MORRIS RATNER** PLAYED A CRITICAL ROLE IN THE HISTORIC LITIGATION AND SETTLEMENT PROCESS AGAINST SWISS BANKS

After roughly two decades, the implementation of the settlement of Holocaust-era class actions against Swiss banks was finally completed this spring. The final step was the issuance of the special master's final report on the settlement process, which highlights the significant role UC Hastings Academic Dean and Professor of Law Morris Ratner played during the litigation and settlement.

Ratner began working on the Swiss banks cases in the mid-1990s as a young attorney at Lieff, Cabraser, Heimann & Bernstein in San Francisco. In 1996 and 1997, Ratner and his co-counsel filed a series of class action lawsuits against Swiss banks and other Swiss entities alleging they had collaborated with and aided the Nazi regime by knowingly retaining and concealing assets of Holocaust victims. The cases were consolidated in U.S. District Court for the Eastern District of New York before Judge Edward R. Korman.

During and after Hitler's rise to power in Germany, the defendant financial institutions



Academic Dean  
Morris Ratner

acted as if they were a safe haven for foreigners' deposits. Then, for decades after World War II, the banks told heirs of victims of Nazi persecution and their families hoping to recoup Holocaust victims' dormant accounts that Swiss bank secrecy laws prevented them from disclosing account holder information or that such accounts did not exist—tactics that allowed the banks to retain Holocaust victim assets.

Working in loose coordination with government agencies, lawmakers, and victim groups, Ratner and his team negotiated what at the time was the largest human rights class action settlement in U.S. history. The deal called for Credit Suisse and Union Bank of Switzerland to pay \$1.25 billion. Judge Korman approved the class action settlement in 2000 and set up a settlement implementation process that operated for nearly two decades.

The Special Master's report discussed Ratner's role in the litigation and settlement, cited his scholarship, and, in the Acknowledgments section, thanked him and other scholars for sharing "important insights about Holocaust compensation."

Not only did more than 458,400 Holocaust victims and their heirs receive compensation, but their stories were preserved and will remain part of the historical record of the Holocaust.

"When the underlying wrong involves private actors profiting from genocide, justice can feel elusive at best," Ratner said. "But when we break down the mass wrongs into individual stories, when litigation becomes part of a process of building an historical record reconnecting the present and the past, justice feels personal and concrete."



WHEN LITIGATION BECOMES PART OF A PROCESS OF BUILDING AN HISTORICAL RECORD RECONNECTING THE PRESENT AND THE PAST, JUSTICE FEELS PERSONAL AND CONCRETE."

—ACADEMIC DEAN MORRIS RATNER

Radhakrishnan speaks at the United Nations in February 2019.



## JUSTICE FOR RAPE VICTIMS

→ **Akila Radhakrishnan '09** is a relentless advocate for international human rights

The Global Justice Center has had success ensuring that women raped in war have access to abortion services, and Akila Radhakrishnan '09 is a major reason why.

Radhakrishnan—who has served as president of the New York-based nonprofit since June 2018—helped conceptualize the campaign to support the provision of sexual and reproductive rights to female rape victims and has led the project's subsequent legal and advocacy efforts.

Since 2010, abortion has been recognized as protected medical care under international humanitarian law by the United Nations Security Council, the European Union Commission, and the governments of the UK and France, among others.

"One of the key accomplishments of this work has been shifting the norm around how abortion is considered fundamental care for rape victims in war," Radhakrishnan said. "We are proud of having helped to usher in that change."

**Grant Shubin '13**, the Global Justice Center's deputy legal director, said reproductive rights was not a frequent topic of discussion at the Security Council before the Radhakrishnan-led campaign. He said

the Global Justice Center's success is an example of how Radhakrishnan combines her passion with her "manner of viewing international law in creative or unconventional ways in order to gain wins where most people don't look or expect them."

Radhakrishnan started working at the Global Justice Center soon after graduating from UC Hastings. She chose to attend UC Hastings because it offered a concentration in international law, and she credits Professors Chimène Keitner, Naomi Roht-Arriaza, and George Bisharat with providing essential guidance.

Radhakrishnan said that the opportunity to study abroad at Leiden University in the Netherlands during her 3L year was transformative. Her time there included an internship with the International Criminal Tribunal for the former Yugoslavia. "International law often feels like a very amorphous field, so that experience was important for me in laying the groundwork for my career growth," she said.

The opportunity to work with a fellow alum on international issues has been thrilling for Shubin. "It's hugely rewarding to do our small part to establish UC Hastings' pedigree in international justice and human rights," he said.



ONE OF THE KEY ACCOMPLISHMENTS OF THIS WORK HAS BEEN SHIFTING THE NORM AROUND HOW ABORTION IS CONSIDERED FUNDAMENTAL CARE FOR RAPE VICTIMS IN WAR." —AKILA RADHAKRISHNAN '09



TOP: CICC/SYD BOYD



## FACULTY IN THE NEWS

→ UC Hastings professors give their expert opinions on pressing issues in the local and national media



*“Discrimination against nursing mothers is the next frontier in pregnancy discrimination. It’s not just unfair to women, it’s unfair to children.”*

—Joan C. Williams, *The New York Times*



*“Many of the cases should not be in the immigration courts and should be resolved with a legalization program. This, of course, is not what this administration wants to do at any time in the foreseeable future.”*

—Richard Boswell, *Pacific Standard News*



*“The deals between the drug companies and the PBM [pharmacy benefit managers] middle players are guarded as fiercely as Fort Knox.”*

—Robin Feldman, in an article from *Kaiser Health News*

*“This is the most complicated and difficult decision environment I’ve ever seen for a bankruptcy case.”*

—Jared A. Elias, *The New York Times*, on Pacific Gas & Electric’s bankruptcy filing



*“The legal positioning of these companies’ business practices are incredibly precarious. In fact, I would characterize the treatment and classification of workers as independent contractors as illegal.”*

—Veena Dubal, *The Intercept*

## LEGAL HISTORY EXPERT GAINS TENURE

SCHOLAR **BINYAMIN BLUM** JOINS THREE OTHER DISTINGUISHED FACULTY MEMBERS IN ACHIEVING TENURED STATUS

UC Hastings faculty voted in June to promote Associate Professor Binyamin Blum, an expert in legal history, to the role of full professor with tenure.

"The vote of confidence is reassuring," Blum said. "This makes it possible to engage in more daring projects."

Blum joined the UC Hastings faculty in spring 2018. Prior to UC Hastings, he served on the faculty of the Hebrew University in Jerusalem.

A specialist in the relationship between law and colonialism during the 19th and 20th centuries, Blum is currently researching the history and origins of forensic science. Blum also writes on issues of evidence and proof, such as the exclusion of unlawfully obtained evidence, spousal privilege among same-sex partners, rape shield statutes, and character evidence. His scholarly work has appeared in *Din Udvarim*, *Law & History and Review*, and *Southwestern Journal of International Law*.

"What sets UC Hastings faculty apart from other institutions is how supportive we all are and how invested we all are in each other's success," Blum said. "There is this joint sense of purpose and



Professors Zach Price, Alina Ball, and Jared Ellias.

mission that I really enjoy. This is an institution that dedicates resources to ensuring quality education for its students and pedagogy for its faculty."

Blum joins Alina Ball, Jared Ellias, and Zach Price as UC Hastings' 2018-19 tenured faculty. The new crop of tenured faculty have been described as "brilliant teachers and accomplished scholars."

In December, Academic Dean Morris Ratner said the tenured group represents the best of UC Hastings. He added that they all "seamlessly meld theory and practice."

"This is a very energetic cohort. We're all hungry for change and are excited to make it happen," Blum said. "Being around that kind of energy has been great. And beyond being brilliant academics, they are all great colleagues and friends."



WHAT SETS UC HASTINGS FACULTY APART FROM OTHER INSTITUTIONS IS HOW SUPPORTIVE WE ALL ARE AND HOW INVESTED WE ALL ARE IN EACH OTHER'S SUCCESS."

—PROFESSOR BINYAMIN BLUM



Professors, students,  
and journalists from  
Haiti attended a multi-  
day symposium at  
UC Hastings.



## IMPROVING LEGAL EDUCATION IN HAITI

→ UC Hastings takes partnership with  
Haitian legal clinic to a new level

From Feb. 7 to 12, 2019, UC Hastings hosted a groundbreaking symposium and train-the-trainers workshop to support what may be the only in-house law school legal aid clinic currently operating in Haiti, the *Clinique de recherche d'analyse et d'assistance légale de l'ESCDROJ (CRAALE)*. This clinic, which represents indigent detainees in the local prison, is part of the law school *l'École Supérieure Catholique de Droit de Jérémie (ESCDROJ)*, located in Jérémie, Haiti. The partnership between UC Hastings and ESCDROJ dates back 20 years, when Professors Richard Boswell and Karen Musalo first began working with Dean Jomanas Eustache of ESCDROJ. The goal of February's conference was to provide concrete training and support for curricular development to strengthen CRAALE in its early formative phase.

This was the first exchange to take place under sibling grants that the U.S. Embassy in Haiti awarded to UC Hastings and ESCDROJ late last year. The second exchange is anticipated this fall and will consist of a delegation of UC Hastings faculty and students traveling to ESCDROJ to continue the curricular development and clinical training.

Clinical legal education is scarce in Haiti. During the symposium and workshop, the Haitian delegates exchanged ideas and worked with their UC Hastings hosts to develop and augment their clinical curriculum. UC Hastings faculty and

students modeled a range of effective legal clinic methodologies. The symposium was chaired by Professor Kate Bloch and saw the participation of other UC Hastings faculty, including Richard Boswell, Betsy Candler, Karen Musalo, Nicole Phillips, Mai Linh Spencer, and Jessica Vapnek. UC Hastings students also participated as note takers and interpreters.

A highlight of the week was a visit to the San Francisco Public Defender's Office, where Jeff Adachi '85, who died days later, spoke with the Haitian delegation. A visit to the San Francisco Superior Court and City Hall; a presentation by Judge Eumi Lee, a former UC Hastings professor; and the daylong Northern California Clinicians' Conference at Golden Gate University Law School rounded out the Haitian delegates' stay in San Francisco.

The symposium and workshop provided essential training opportunities at a critical juncture for CRAALE. Launched less than two years ago, the clinic is already providing legal representation to pretrial detainees but is still in a very early phase. The two academic exchanges supported by the U.S. Embassy are designed to share insights and support the CRAALE educators in their quest to develop the clinic and, ultimately, to enable CRAALE to serve as a role model for clinical legal education throughout Haiti, the Caribbean region, and beyond.

## FACULTY PUBLICATIONS

### → Highlights of scholarly writings in 2018

#### Scholarly Books

Scott Dodson, editor, *THE JUDGES' BOOK Vol. 2* (UC Hastings 2018)

John Leshy, *DEBUNKING CREATION MYTHS ABOUT AMERICA'S PUBLIC LANDS* (University of Utah Press 2018)

Ugo Mattei, general series editor, *THE COMMON CORE OF EUROPEAN PRIVATE LAW* (Cambridge 2018) (with Mauro Bussani)

Ugo Mattei, *THE TURNING POINT IN PRIVATE LAW: ECOLOGY, TECHNOLOGY AND THE COMMONS* (Edward Elgar 2018) (with Alessandra Quarta)

Ugo Mattei et al., editors, *HANDBOOK OF FOOD AS A COMMONS* (Routledge 2018)

Setsuo Miyazawa, editor, *CRIME AND JUSTICE IN CONTEMPORARY JAPAN* (Springer 2018) (with Jianhong Liu)

Joel Paul, *WITHOUT PRECEDENT: JOHN MARSHALL AND HIS TIMES* (Penguin Random House/Riverhead Books 2018)

Joan Williams et al., *WHAT WORKS FOR WOMEN AT WORK: A WORKBOOK* (N.Y.U. Press 2018)

#### Textbooks/Treatises

Richard Boswell, *IMMIGRATION & NATIONALITY LAW: CASES AND MATERIALS* (5th ed. 2018)

Jo Carrillo, *COMMUNITY PROPERTY IN A NUTSHELL* (4th ed. 2018)

John Diamond et al., *UNDERSTANDING TORTS* (6th ed. 2018)

Scott Dodson, *THE BLACK BOOK OF FEDERAL COURTS* (2018)

Mary Kay Kane, *CIVIL PROCEDURE IN A NUTSHELL* (8th ed. 2018)

Jaime King, Thomas Greaney, Robert Schwartz, et al., *THE LAW OF HEALTH CARE ORGANIZATION AND FINANCE* (8th ed. 2018)

Jaime King, Thomas Greaney, Robert Schwartz, et al., *HEALTH LAW: CASES, MATERIALS AND PROBLEMS* (8th ed. 2018)

Daniel Lathrope, *SELECTED FEDERAL TAXATION STATUTES AND REGULATIONS* (2018)

Daniel Lathrope, *UNITED STATES INTERNATIONAL TAXATION* (2018)

John Leshy et al., *LEGAL CONTROL OF WATER RESOURCES* (6th ed. 2018)

David Levine, *CIVIL PROCEDURE IN CALIFORNIA: STATE AND FEDERAL* (2018)

David Levine et al., *O'CONNOR'S CALIFORNIA PRACTICE: CIVIL PRETRIAL* (2018)

Stephen Lind et al., *FEDERAL INCOME TAXATION* (2018)

Rick Marcus et al., *CIVIL PROCEDURE: A MODERN APPROACH* (7th ed. 2018)

Rick Marcus et al., *WRIGHT & MILLER'S FEDERAL PRACTICE & PROCEDURE* (2018 pocket parts to volumes 8, 8A, 8B, and 12)

Leo Martinez et al., *NEW APPLEMAN INSURANCE LAW AND PRACTICE GUIDE Vol. 1-4* (2018)

Leo Martinez, *INSURANCE LAW* (8th ed. 2018) (with Douglas Richmond)

Ugo Mattei, *IL MODELLO DI COMMON LAW* (5th ed. 2018) (with Emanuele Ariano)

Karen Musalo, Richard Boswell, et al., *REFUGEE LAW AND POLICY: AN INTERNATIONAL AND COMPARATIVE APPROACH* (5th ed. 2018)

Roger Park et al., *EVIDENCE LAW: A STUDENT'S GUIDE TO THE LAW OF EVIDENCE AS APPLIED IN AMERICAN TRIALS* (4th ed. 2018)

Stephen Schwarz and Daniel Lathrope, *PARTNERSHIP TAXATION* (2018) (with Brant Hellwig)

Kelly Weisberg, *DOMESTIC VIOLENCE LAW* (2018)

Kelly Weisberg, *DOMESTIC VIOLENCE LAW: LEGAL AND SOCIAL REALITY* (2d ed. 2018)

#### Peer-Reviewed Journal Articles

George Bisharat, *Apersistência das desigualdades raciais no sistema de justiça criminal dos EUA*, 21 JURIS POIESIS 256 (2018)

George Bisharat et al., *Mobilizing International Law in the Palestinian Struggle for Justice*, 18 GLOBAL JURIST (2018)

Binyamin Blum, *Convicting Bases on Circumstantial Evidence: Psychological Insights Regarding the Appropriate Decision-making Model in Light of the Kriaf Case*, 11 DIN UDVARIM 161 (2018) (with Elisha Harlev)

Richard Boswell, *The Global Evolution of Clinical Education*, 67 JOURNAL OF LEGAL EDUCATION 1081 (2018)

Marsha Cohen et al., *Current Regulation of Mobile Mental Health Applications*, 46 JOURNAL OF THE AMERICAN ACADEMY OF PSYCHIATRY AND THE LAW 204 (2018)

Scott Dodson, *Leading Cases, Legislation*, 8 INTERNATIONAL JOURNAL OF PROCEDURAL LAW 165, 314, 352 (2018)

Scott Dodson, *A Model Code of Conduct for Student-Edited Law-Journal Submissions*, 67 JOURNAL OF LEGAL EDUCATION (2018) (with Jacob Hirsch)

Veena Dubal et al., *Disrupting Regulation, Regulating Disruption: The Politics of Uber in the United States*, 16 PERSPECTIVES ON POLITICS 919 (2018)

Jared Ellias, *What Drives Bankruptcy Forum Shopping? Evidence from Market Data*, 47 JOURNAL OF LEGAL STUDIES 119 (2018)



- Jared Elias, *Bankruptcy Claims Trading*, 15 JOURNAL OF EMPIRICAL LEGAL STUDIES 772 (2018)
- Jared Elias, *What Is Bankruptcy Claims Trading? Evidence from Bond Trading*, 37 AMERICAN BANKRUPTCY INSTITUTE JOURNAL 28 (2018)
- David Faigman et al., *Intellectual Disability, The Death Penalty, and Jurors*, 58 JURIMETRICS JOURNAL 437 (2018)
- David Faigman et al., *Predicting Violent Behavior: What Can Neuroscience Add?*, 22 TRENDS IN COGNITIVE SCIENCE 111 (2018)
- Robin Feldman, *Artificial Intelligence: The Importance of Trust & Distrust*, 21 GREEN BAG 2D 201 (2018)
- Robin Feldman et al., *Empirical Evidence of Drug Companies Using Citizen Petitions to Hold Off Competition*, 27 JOURNAL OF ANTITRUST, UCL, AND PRIVACY 1 (2018)
- Robin Feldman, *May Your Drug Price Be Evergreen*, OXFORD JOURNAL OF LAW & THE BIOSCIENCES (2018)
- Debra Gerardi, *Partnering Strategies for Clinical Executives—Leading Together and Not Just Side-by-Side*, 16 NURSE LEADER 215 (2018)
- Jaime King, *California's Drug Transparency Law: Navigating the Boundaries of State Authority on Drug Pricing*, 37 HEALTH AFFAIRS 1503 (2018)
- Rick Marcus, *Multiple Sources of Procedural Change in America*, 2017 ZZI 269 (2018)
- Ugo Mattei, *Comparative Law, Geopolitics, and the Conflict in Palestine: Disciplined Disengagement and the Commons Solution*, GLOBAL JURIST (2018)
- Ugo Mattei, *Diritto, Capitale e Limiti*, 26 PAROLECHIAVE 115 (2018)
- Dave Owen et al., *The Trump Administration's ESA Regulations*, 48 ENVIRONMENTAL LAW REPORTER 10953 (2018)
- Aaron Rappaport et al., *Association of Legal Intervention Injuries With Race and Ethnicity Among Patients Treated in Emergency Departments in California*, 1 JAMA NETWORK OPEN (2018)
- Dorit Reiss, *Influenza Mandates and Religious Accommodation: Avoiding Legal Pitfalls*, 46 JOURNAL OF LAW, MEDICINE & ETHICS 756 (2018) (with Veena Dubal)
- Dorit Reiss, *French Mandatory Vaccine Policy*, 36 VACCINE 1323 (2018) (with Tony Yang)
- Dorit Reiss & Lois Weithorn, *Legal Approaches to Promoting Parental Compliance with Childhood Immunization Recommendations*, 14 HUMAN VACCINES & IMMUNOTHERAPEUTICS 1610 (2018)
- Dorit Reiss, *Commentary: Vaccine Medical Exemptions Are a Delegated Public Health Authority*, 142 PEDIATRICS (2018) (with Richard J. Pan)
- Reuel Schiller, *Mourning King: The Civil Rights Movement and the Fight for Economic Justice*, 27 NEW LABOR REVIEW 13 (2018)
- Manoj Viswanathan et al., *Caveat IRS: Problems with Abandoning the Full Deduction Rule*, 88 STATE TAX NOTES 547 (2018)
- Manoj Viswanathan et al., *State Responses to Federal Tax Reform: Charitable Tax Credits*, 87 STATE TAX NOTES 433 (2018)
- Joanna Weinberg, *The Dilemma of the "Doctor in the Family,"* 8 NARRATIVE INQUIRY IN BIOETHICS 47 (2018)
- Kelly Weisberg & Anne Perry, *First Tribal Court Convicts Non-Native Abuser under VAWA*, 23 DOMESTIC VIOLENCE REPORT 17 (Dec./Jan. 2018)
- Kelly Weisberg, *Children's Perspectives of Mothering in the Context of Domestic Violence: Recent Research Findings*, 10 FAMILY & INTIMATE PARTNER QUARTERLY 43 (2018)
- Kelly Weisberg, *State Firearm Surrender Laws Lower Risk of Death*, 23 DOMESTIC VIOLENCE REPORT 24 (Dec./Jan. 2018)
- Joan Williams et al., *Work as a Masculinity Contest*, 74 JOURNAL OF SOCIAL ISSUES 422 (2018)
- Frank Wu, *The New Chinese Diaspora: Embracing the Model Minority and Perpetual Foreigner?*, 2018 CHINESE AMERICAN: HISTORY & PERSPECTIVES 99
- Articles in Law Reviews**
- Alina Ball, *Contextualizing the Corporate Rights Movement in Transactional Clinics*, 7 TENNESSEE JOURNAL OF RACE, GENDER, & SOCIAL JUSTICE 5 (2018)
- Dana Beldiman, *From Bits to Atoms: Does the Open Source Software Model Translate to Open Source Hardware?*, 35 SANTA CLARA HIGH TECHNOLOGY LAW JOURNAL 23 (2018)
- John Crawford, *Resolution Triggers for Systemically Important Financial Institutions*, 97 NEBRASKA LAW REVIEW 65 (2018)
- Scott Dodson, *Personal Jurisdiction and Aggregation*, 113 NORTHWESTERN UNIVERSITY LAW REVIEW 1 (2018)
- Scott Dodson, *Personal Jurisdiction and Aliens*, 116 MICHIGAN LAW REVIEW 1205 (2018) (with Bill Dodge)
- Scott Dodson, *Should the Rules Committees Have an Advocacy Role?*, 104 VIRGINIA LAW REVIEW 1 (2018)
- Scott Dodson, *Jurisdiction in the Trump Era*, 87 FORDHAM LAW REVIEW 73 (2018)
- Scott Dodson, *Defending Jurisdiction*, 59 WILLIAM & MARY LAW REVIEW ONLINE 85 (2018)
- Robin Feldman, *Is Patent Enforcement Efficient*, 98 BOSTON UNIVERSITY LAW REVIEW 649 (2018) (with Mark A. Lemley)
- Heather Field, *A Taxonomy for Tax Loopholes*, 55 HOUSTON LAW REVIEW 545 (2018)
- Heather Field, *Offshoring Tax Ethics: The Panama Papers, Seeking Refuge from Tax, & Tax Lawyer Referrals*, 62 ST. LOUIS UNIVERSITY LAW JOURNAL 35 (2018)
- Heather Field, *Complicity by Referral*, 31 GEORGETOWN JOURNAL OF LEGAL ETHICS 77 (2018)

Eumi Lee, *Monetizing Shame: Mugshots, Privacy, and the Right to Access*, 70 *RUTGERS UNIVERSITY LAW REVIEW* 557 (2018)

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John Leshy, *Are U.S. Public Lands Unconstitutional?*, 69 *HASTINGS LAW JOURNAL* 499 (2018)

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Leo Martinez, *A Critique of Critical Tax Policy Critiques (Or, You've Got to Speak Out Against the Madness)*, 28 *BERKELEY LA RAZA LAW JOURNAL* 49 (2018)

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Karen Musalo, *El Salvador—A Peace Worse Than War: Violence, Gender and a Failed Legal Response*, 30 *YALE JOURNAL OF LAW & FEMINISM* 3 (2018)

Dave Owen, *Cooperative Subfederalism*, 9 *U.C. IRVINE LAW REVIEW* 177 (2018)

Dave Owen, *Federal Laboratories of Democracy*, 52 *U.C. DAVIS LAW REVIEW* 1119 (2018) (with Hannah Jacobs Wiseman)

Dave Owen, *The Conservative Turn Against Compensatory Mitigation*, 48 *ENVIRONMENTAL LAW* 265 (2018)

Zachary Price, *Funding Restrictions and Separation of Powers*, 71 *VANDERBILT LAW REVIEW* 357 (2018)

Zachary Price, *Our Imperiled Absolutist First Amendment*, 20 *UNIVERSITY OF PENNSYLVANIA JOURNAL OF CONSTITUTIONAL LAW* 821 (2018)

Zachary Price, *Precedent in a Polarized Era*, 94 *NOTRE DAME LAW REVIEW* 433 (2018)

Aaron Rappaport, *The Institutional Design of Punishment*, 60 *ARIZONA LAW REVIEW* 913 (2018)

Morris Ratner, "MDL Problems"—*A Brief Introduction and Summary*, 37 *REVIEW OF LITIGATION* 123 (2018)

Dorit Reiss, *Litigating Alternative Facts: School Mandates in the Courts*, 21 *UNIVERSITY OF PENNSYLVANIA JOURNAL OF CONSTITUTIONAL LAW* 207 (2018)

Dorit Reiss, *Regulating in the Era of Fake News: Anti-Vaccine Activists Respond to the CDC Quarantine Rule*, 79 *UNIVERSITY OF PITTSBURGH LAW REVIEW* 676 (2018)

Naomi Roht-Arriaza, *Safeguarding Development: Risk Reduction in U.S. Government Foreign Aid and Investment Facilitation Beyond the Current Patchwork*, 24 *HASTINGS ENVIRONMENTAL LAW JOURNAL* 311 (2018)

## INSIDE BIG PHARMA

### IN HER NEW BOOK, PROFESSOR ROBIN FELDMAN TACKLES RUNAWAY PRESCRIPTION DRUG PRICING

Treatments for hemophilia could soon top \$1.5 million a year. A drug for childhood leukemia recently debuted with a price tag of \$475,000. Prescription drug prices as a whole have risen faster than other health care costs, and generic drugs sometimes cost more than branded ones.

In her new book, *Drugs, Money, and Secret Handshakes: The Unstoppable Growth of Prescription Drug Prices* (Cambridge



University Press, 2019), Professor Robin Feldman untangles just how the pharmaceutical market became so warped. Feldman, who directs the school's Center for Innovation, has published three previous books, including *Drug Wars: How Big Pharma Raises Prices & Keeps Generics Off the Market* (Cambridge University Press, 2017).

In the new book, Feldman argues that key players in today's broken system are pharmacy benefit managers, middlemen who negotiate prices with drug companies and set coverage terms for patients. These brokers are supposed to secure good deals for consumers and insurers, but in reality, neither government auditors nor private insurers know the details of their contracts with pharmaceutical companies. This setup, Feldman argues, has reduced competition among drugmakers, curtailed innovation, and created distorted incentives to steer patients toward more expensive medication.

Fixing this system requires upending existing incentives, according to Feldman. One solution she proposes is reforming the patent system so that it encourages innovation rather than "churning and recycling" existing drug formulations.

Feldman believes that the current climate provides an opening for change. "This is an important moment historically, given the fact that patients are feeling this amount of pain and frightened about being able to afford their medications," she said. "There is an opportunity to act if we take it."

Still, Feldman acknowledges that battling Big Pharma won't be easy. And if we can't muster the political will necessary to curb skyrocketing prescription prices? "Perhaps we should reach for anti-anxiety medication," she writes. "At least today, it's a mere \$1,285 for 30 tablets."



Stephen Schwarz, *Grantmaking Advice for Mega-Donors: A Second Opinion*, 21 N.Y.U. JOURNAL OF LEGISLATION & PUBLIC POLICY 583 (2018)

Jodi Short, *Private Regulation and Third-Party Auditing*, 41 ENVIRONS 183 (2018)

Jodi Short, *The Trouble with Counting: Cutting through the Rhetoric of Red Tape Cutting*, 103 MINNESOTA LAW REVIEW 93 (2018)

Gail Silverstein, *Developing Lawyers: EBCLC's Impact on Law Students' Professional Identity Formation*, 9 CALIFORNIA LAW REVIEW ONLINE 5 (2018)

David Takacs, *Are Koalas Fungible? Biodiversity Offsetting and the Law*, 26 N.Y.U. ENVIRONMENTAL LAW JOURNAL 161 (2018)

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## Chapters in Books

Dana Beldiman, *Navigating Patents in an Open Hardware Environment*, in CO-CREATION: RESHAPING BUSINESS AND SOCIETY IN THE ERA OF BOTTOM-UP ECONOMICS 177 (2018)

Blaine Bookey, *Applying the Refugee Definition to Child-specific Forms of Persecution*, in RESEARCH HANDBOOK ON CHILD MIGRATION 187 (2018) (with Lisa Frydman)

Richard Boswell, *Removal Proceedings: Making a Record for Discovery*, in IMMIGRATION & NATIONALITY LAW HANDBOOK (2018)

Jo Carrillo, *Borelli v. Brusseau*, in FEMINIST JUDGMENTS: FAMILY LAW OPINIONS REWRITTEN (2018)

Ben Depoorter, *The Rise, Fall and Rise of Law & Economics in Europe*, in DON'T TAKE IT SERIOUSLY: ESSAYS IN HONOUR OF ROGER VAN DEN BERGH 427 (2018)

Robin Feldman, *Learning from Past Mistakes—The US Patent System and International Trade Agreements*, in MEGAREGIONALISM 2.0: TRADE AND INNOVATION WITHIN GLOBAL NETWORKS 145 (2018)

Rory Little, *Review of the Supreme Court's Term, Criminal Cases*, in THE STATE OF CRIMINAL JUSTICE (2018)

Rick Marcus, *La Experiencia Estadounidense al Reformar las Instituciones de su Justicia Civil*, in XXI SENDAS DE LA REFORMA DE LA JUSTICIA A PRINCIPIOS DE SIGLO 311 (2018)

Rick Marcus, *Reassessing the Essential Role of Public Courts: Learning from the American Experience*, in TRANSFORMATION OF CIVIL JUSTICE: UNITY & DIVERSITY 173 (2018)

Ugo Mattei, *Having, Being and the Commons*, in CODESIGNING ECONOMIES IN TRANSITION: RADICAL APPROACHES IN DIALOGUE WITH CONTEMPLATIVE SOCIAL SCIENCES 63 (2018)

Ugo Mattei, *Il poliamore e I beni comuni*, in PIÙ CUORI E UNA CAPANNA: IL POLIAMORE COME ISTITUZIONE 225 (2018)

Ugo Mattei et al., *Introduction: The Food Commons are Coming*, in HANDBOOK OF FOOD AS A COMMONS 1 (2018)

Ugo Mattei et al., *Food as Commons: Towards a New Relationship Between the Public, the Civic and the Private*, in HANDBOOK OF FOOD AS A COMMONS 373 (2018)

Ugo Mattei, *The Ecology of International Law: Towards an International Legal System in Tune with Nature and Community?*, in THE COMMONS AND A NEW GLOBAL GOVERNANCE 212 (2018)

Dorit Reiss, *The Anti-Vaccine Movement: A Litany of Fallacy and Errors*, in PSEUDOSCIENCE: THE CONSPIRACY AGAINST SCIENCE 195 (2018)

Dorit Reiss, *When Children Pay the Price of Freedom of Religion*, in RELIGIOUS FREEDOM IN AMERICA: A REFERENCE BOOK 125 (2018)

## SCHOLARSHIP FOR JUDGES

This fall, UC Hastings will publish the third edition of *The Judges' Book: Scholarship for the Bench*, a selection of relevant faculty writings geared toward a judicial readership.

The third edition, edited by Associate Dean for Research **SCOTT DODSON**, builds on the influential efforts of the first two editions with a new collection of scholarly writings. Articles in this edition include **HEATHER FIELD** on the rhetoric of tax loopholes, **AARON RAPPAPORT** on the institutional design of criminal punishment, **JOHN LESHY** on the constitutionality of public lands, **ROBIN FELDMAN** on how artificial

intelligence raises issues of both trust and distrust, and **DORIT REISS** on litigating "alternative facts" about immunization. Chancellor & Dean **DAVID FAIGMAN** provided the book's introduction.

"Any series of articles that challenge us to think about new concepts, or new ways of approaching established areas of the law, is a welcome addition to anyone's bookshelf," wrote the Hon. **BRAD R. HILL '83**, Presiding Justice, California Fifth District

Court of Appeal, in the foreword to the new edition. "For judges, this collection is invaluable. We all need to continually challenge the way we think, as well as the way we view the law and the world. *The Judges' Book* does just that."



Naomi Roht-Arriaza, *Principle 1. General Obligations of States to Take Effective Action to Combat Impunity*, in THE UNITED NATIONS PRINCIPLES TO COMBAT IMPUNITY: A COMMENTARY 47 (2018)

Manoj Viswanathan, *Tax Compliance and the Sharing Economy*, in CAMBRIDGE HANDBOOK OF THE LAW OF THE SHARING ECONOMY 357 (2018)

#### Testimony/Reports/ White Papers

Robin Feldman, National Academies of Sciences, Government-University-Industry Research Roundtable (February 2018)

Robin Feldman, GAO (Mar. 28, 2018)

Robin Feldman, Appearance before Federal Trade Commission and Health and Human Services staff, on the topic of pharmaceutical competition

Robin Feldman et al., *States' Rights: A Patent Law Analysis of NASHP Rate-Setting Model Act*, National Association of State Health Policy White Paper (March 2018)

Robin Feldman et al., *Identifying Extensions of Protection in Prescription Drugs: Navigating the Data Landscape for Large-Scale Analysis* (2018)

Jaime King, *Technical Expertise Panelist, Price Transparency in Healthcare*, Department of Health and Human Services and RAND (June 18, 2018)

Jaime King, *Examining State Efforts to Improve Transparency in Healthcare Costs for Consumers*, Testimony before the Subcommittee on Oversight and Investigations of the Committee on Energy and Commerce of the U.S. House of Representatives (July 17, 2018)

Jaime King et al., *The Legal Dimensions of Genomic Sequencing in Newborn Screening*, 48 Hastings Center Special Report S39 (2018)

Dave Owen et al., *Navigating Groundwater-Surface Water Interactions Under the Sustainable Groundwater Management Act*, Wheeler Water Institute: Center for Law, Energy & the Environment (March 2018)

Dave Owen et al., *California's Stream Flow Monitoring System is Essential for Water Decision Making*, Wheeler Water Institute: Center for Law, Energy & the Environment Issue Brief (April 2018)

Dave Owen et al., *Addressing Institutional Vulnerabilities in California's Drought Water Allocation, Part 1: Water Rights Administration and Oversight During Major Statewide Droughts, 1976-2016*, Wheeler Water Institute: Center for Law, Energy & the Environment Report (August 2018)

Dave Owen et al., *Addressing Institutional Vulnerabilities in California's Drought Water Allocation, Part 2: Improving Water Rights Administration and Oversight for Future Droughts*, Wheeler Water Institute: Center for Law, Energy & the Environment Report (August 2018)

Dave Owen et al., *When Is Groundwater Recharge a Beneficial Use of Surface Water in California?*, Wheeler Water Institute: Center for Law, Energy & the Environment Issue Brief (August 2018)

Jessica Vapnek, *Food safety policy and legislation in the newly decentralized Federal Democratic Republic of Nepal* (FAO 2018)

Jessica Vapnek et al., *Veterinary Legislation Identification Mission Report: Myanmar* (OIE 2018)

Jessica Vapnek, *Assessment of Bhutan Veterinary Legislation* (OIE 2018)

Manoj Viswanathan et al., *Federal Income Tax Treatment of Charitable Contributions Entitling Donor to a State Tax Credit* (2018)

Manoj Viswanathan et al., *The Games They Will Play: Tax Games, Roadblocks, and Glitches Under the New Legislation* (2018)

Joan Williams et al., *Stable Scheduling Increases Productivity and Sales: The Stable Scheduling Study*, WorkLife Law (March 2018)

Joan Williams et al., *You Can't Change What You Can't See: Gender and Racial Bias in the Legal Profession*, American Bar Association Commission on Women in the Profession and the Minority Corporate Counsel Association (2018)

Joan Williams et al., *Walking the Tightrope: An Examination of Bias in India's Engineering Workplaces* (2018)

## SCHOLARLY EVENTS

This academic year, UC Hastings will host conferences, symposia, and other programs on a breadth of topics. Here is a sampling:

### Ambassador J. Christopher Stevens Memorial Lecture

Presented by Tamara Cofman Wittles and Brian Egan  
Oct. 23, 3:30-5 p.m.

### LexLab Hackathon

Oct. 26-27

### 2019 Tax Speaker Series: Progressive Tax Procedure

Presented by Ari Glogower  
Nov. 5, 4:40-5:40 p.m.

### Diversity, Equity, and Inclusion Speaker Series

Featuring Yolanda Sanders, Gap, Inc.  
Jan. 22, 2020, 3:30-5 p.m.

### Progressive Prosecutors Symposium

Feb. 7, 2020, 8 a.m.-5 p.m.

### History of Forensic Science Workshop

Feb. 27, 2020, 8 a.m.-5 p.m.









# ENGAGED IN THE WORLD

UC HASTINGS HAS  
BECOME A THOUGHT  
LEADER ON THE GLOBAL  
STAGE, ADVANCING  
INTELLECTUAL EXCHANGE  
AT HOME AND ABROAD

■ BY PROFESSOR RICK MARCUS

The UC Hastings website announces that the school is “Made in San Francisco. Ready for the World.”

This issue introduces a variety of the many ways in which the school immerses its students in the world outside our country and provides faculty guidance around the globe.

Even after 30 years here, I’m constantly awed by the achievements of our graduates like Viviana Waisman ’95, who has become an international leader in empowering women.

Equally inspiring is the work of faculty members in building democracy and strengthening legal institutions around the globe. The featured work in Uzbekistan is a perfect illustration of the sort of thing that UC Hastings has done in many places, particularly in the Western Hemisphere.

But as this issue also shows, UC Hastings is a magnet for scholars and students from around the world who are drawn by our high-tech environment and dynamic academic offerings. Our focus (in conjunction with UCSF Medical School) is building a leadership position. For JD students and LLM students, these offerings will provide a foundation for future leadership in a variety of fields and places.

Finally, our multiple exchange programs enable UC Hastings students to get direct experience with non-American legal cultures while enrolled in our law school. This issue introduces the variety of faculty activities that supplement that educational experience and recognize the prominent role UC Hastings can have in developing international norms for the 21st century.

As exciting as the stories in this issue are, they only scratch the surface of a much more exciting and growing reality. It’s probably not possible to provide a truly complete catalog of all the ways UC Hastings is “ready for the world,” but this issue at least gives an important sense of the ways in which our school is moving dramatically ahead.





# PROMOTING THE RULE OF LAW IN UZBEKISTAN



FACULTY MEMBERS PLAY LEADING ROLES IN BRINGING JUDICIAL REFORM TO THIS FORMER SOVIET REPUBLIC

The ancient trade route between Europe and China known as the Silk Road allowed for the exchange of goods (jade, horses, cotton and wool, glass, weapons, and, yes, silk), but, just as importantly, things like religion, language, traditions, and other products of the mind: ideas. In Tashkent, one of the main cities on the Silk Road and now the capital of Uzbekistan, new ideas are still being exchanged, some of which are being provided by professors at UC Hastings. It is important, groundbreaking work.

These are heady days in Uzbekistan. Part of the Soviet Union until its breakup in 1991, Uzbekistan inherited the Soviet civil law system, along with Soviet-style torpor, corruption, and brutal security apparatus. At the beginning of the 21st century, dissent was still met with violent force—as at the Andijan massacre in 2005, when government troops

fired into a crowd of protesters, killing a wildly varying estimate of between 187 and 1,500 people, and after which Westerners were all but locked out of the country.

Much of that has changed, says **Yvonne Troya**, clinical professor of law and legal director of the Medical-Legal Partnership for Seniors. Shavkat Mirziyoyev, president of the country since 2016, has been instituting “comprehensive reforms at every level of government and society, seemingly by the day,” she wrote in a March 2019 assessment of legal clinics at the two main Uzbek law schools, the University of World Education and Diplomacy (UWED) in Tashkent



Professor Yvonne Troya is playing a key role in the law school's subcontract with Tetra Tech DPK for the work in Uzbekistan.

Above left: The historic architecture of Bukhara, a UNESCO World Heritage site in Uzbekistan. Below: Yvonne Troya with colleagues in Tashkent.



COURTESY OF YVONNE TROYA

and Tashkent State University of Law (TSUL).

Troya's work is part of the Judicial Reform in Uzbekistan Project (JRUP), funded by the United States Agency for International Development (USAID) and intended to encourage continuing development of the rule of law and improvements in legal education and the judiciary, in accord with Mirziyoyev's strong support.

The project was brought to UC Hastings thanks to connections made by Professor **Jessica Vapnek** when she worked in the private sector, at Tetra Tech DPK, a global rule of law consulting firm. Vapnek has extensive experience in international legal (and other) work, including as a legal officer with the United Nations. She came to the law school in 2017.

Federal government judicial reform projects like JRUP are Tetra Tech DPK's specialty, Vapnek says. She helped revise and edit the project proposal (as did UC Hastings Director Mary Noel Pepys), especially touting the law school's involvement with international legal studies (Vapnek is associate director of global programs at the law school); its talented international law faculty; and its popularity as a prime destination for LLM students, foreign scholars, and legal professionals from other countries—those from Haiti being one recent notable example. Tetra Tech DPK was eventually awarded the Uzbekistan work and subcontracted a small part of the project to UC Hastings, to work alongside a local team already on-site.

The law degree is an undergraduate degree in Uzbekistan, so students are



**[President Shavkat Mirziyoyev has been instituting] comprehensive reforms at every level of government and society, seemingly by the day."**

—PROFESSOR  
YVONNE TROYA





Professor Jessica Vapnek helped to facilitate the law school's engagement in Uzbekistan.



**The laws [in Uzbekistan] are changing, really at breakneck speed.”**

—PROFESSOR  
YVONNE TROYA

a few years younger than typical students at American law schools. About half the country's law students today are women. The Uzbek and Russian languages are used pretty much interchangeably, though, Troya noticed, a number of students were English speakers, as well.

In years past, classroom instruction had consisted largely of lectures by professors, rote memorization by students, and little in the way of legal analysis or back-and-forth Socratic method. By presidential decree, the legal curriculum is being updated and teaching methods modernized. As Mirziyoyev stated in his historic December 2017, four-hour speech to both houses of the Uzbek Parliament, “Since we are building a democratic state, we need to train well-educated, highly qualified, and altruistic professional lawyers who will meet international standards.”

Although she had done a similar legal clinic assessment in the Democratic Republic of Congo some years ago, “I didn't know what to expect in Uzbekistan,” Troya said. In fact, she was pleased to find a clinic program already existing at UWED. Thanks, she said, to an “extremely dedicated” faculty and some international support, the clinic has been operating for about 20 years, though without funding since 2009. Another clinic, at TSUL, is brand-new. It's “a reform-minded school,” Troya observed, with young and enthusiastic leadership. The clinic program is not yet structured as its administration would like it to be. (That is, after all, the reason for the JRUP clinic work and for tapping the expertise of clinical professors from UC Hastings.) In particular, the clinic needs a classroom component to make it more rigorous.

One surprising aspect of working in today's Uzbekistan is how quickly

“the laws are changing, really at breakneck speed,” Troya said. Even though the country has an excellent online searchable database of legislation, what is lacking are current practice guides. One of her recommendations, therefore, is that resources be devoted to “updating or creating” topical practice guides so that the clinics and Uzbek lawyers in general can better keep track of changes in the law.

Another recommendation is that legal ethics become a focus of clinical training. As her report states: “Given the need for ethical reform within the lawyering culture, ethical training of law students in Uzbekistan must continue to be a critical priority of legal education. Law school clinics, specifically, can serve an important function as vehicles for powerful, lasting learning about ethics through practice which budding lawyers can infuse into their careers.”

There is no legal aid system in Uzbekistan, and no culture of *pro bono* work, so both clinics have tried to fill that role, with some success (including a mobile clinic that takes legal services to the



Above: Professor Irina Cherkashina (right) with UWED clinic students.  
Left: A market in Bukhara.





Above: Chor Minor, in Bukhara. Below: Mai Linh Spencer, center left, with members of Uzbekistan's General Prosecutor's Office.

suburbs of Tashkent)—although students are not currently permitted to represent clients in court. The challenge, Troya said, is to consider whether the primary goal of the clinics is to provide legal aid to as many people as possible or to provide the highest-quality training and supervision of students in the development of lawyering skills—to find, in short, the appropriate balance between the two goals.

Another UC Hastings professor who has worked on JRUP so far is **Mai Linh Spencer**, associate clinical professor. Among her other experience, Spencer served for five years as a prosecutor in the U.S. Department of Justice, Civil Rights Division. In Uzbekistan, she's using American clinical education and experiential learning best practices to help develop a clinic-based curriculum for training probationary new hires at the General Prosecutor's Office (GPO), historically a powerful department of government (and a large one; earlier this year, Mirziyoyev sacked 1,000 people from the office). Spencer's curriculum builds on additional work by Professor Troya, who supported the GPO remotely this summer by devising a structure for the new GPO legal clinic.

Spencer's GPO collaborators were career prosecutors, and she thought they were great—"extremely motivated and engaged," she said, "with a real enthusiasm for teaching and experiential learning." The high regard was apparently mutual: Spencer's Uzbek counterpart, Zamira Borsieva, said that "Linh blew participants' minds by showing



TOP: COURTESY OF YVONNE TROYA



Professor Mai Linh Spencer is helping to develop an experiential learning model for training prosecutors in Uzbekistan.



**[Members of the General Prosecutor's Office were] extremely motivated and engaged, with a real enthusiasm for teaching and experiential learning."**

—PROFESSOR MAI LINH SPENCER

them a totally different perspective" (according to, and as rendered into English vernacular by, the interpreter on duty).

Members of the GPO are—and under the new reforms will continue to be—among the most influential members of the Uzbek legal system, so Spencer's work (on which she is collaborating with Vapnek and Troya) is cutting edge, with, she thinks, vital repercussions for the future.

And the relationship will continue: In September, a half-dozen GPO members and representatives of the two Uzbek law schools visited UC Hastings, after accepting Vapnek's invitation to include the school on their study tour (which included several different law schools and judicial institutions in the Bay Area). The exchange included observation of students participating in Professor Alina Ball's Social Enterprise and Economic Empowerment Clinic, a round table with clinical faculty led by Professor Gail Silverstein, and a discussion of best practices in LLM administration led by Associate Dean for Global Programs Keith Hand. Over the next two years, UC Hastings will continue to work with JRUP, supplying faculty expertise as needed.

Both Troya and Spencer made some time for tourism while in Uzbekistan, and both rave about the country. (Vapnek's work on the JRUP project has, thus far, been via webinars.)

"It's a fascinating place to visit," Troya said, "and it is one of the safest places for tourists in the world." After her work with the legal clinics, she took a side trip to Bukhara (another Silk Road stopover and a UNESCO World Heritage site) and became a (guarded) fan of *plov*, the quintessential Uzbek meal—an aromatic rice dish mixed with meat, onions, carrots, and other vegetables.

As to whether the anti-corruption reforms that Mirziyoyev has proposed will take hold? "Look," says Troya, with an eloquent neologism, "I don't want to over-rosify the situation." (She means, of course, that massive cultural transformation cannot take place overnight, and that problems remain.) "But given all the other things that are going on globally," she said, "this is a really bright spot in the world today."



# EMPOWERING WOMEN ACROSS THE GLOBE



**VIVIANA WAISMAN '95** IS DEVOTED TO FURTHERING THE HUMAN RIGHTS  
OF WOMEN IN SOCIETY'S MARGINS

Everything in the life of Viviana Waisman '95—from her family history to her education and early work experiences—pointed in the same direction. “I’m one of those people who was born to work on social justice issues,” she said.

As a young lawyer in Madrid in the late 1990s, with little funding or connections, Waisman launched Women’s Link, a nonprofit organization that now operates in three continents with an international staff of 30, advocating for women at the margins of their societies.

Such commitment was in her blood: Her Jewish grandparents left Eastern Europe for Argentina in the years before World War II, and then her parents were exiled to the United States after the military coup upended Argentina in 1976. Her parents’ experiences instilled in Waisman a strong sense of right and wrong. Her mother was a teacher who Waisman said “used education as her social justice,” designing math classes for Spanish speakers.

Waisman’s path took her from UC Berkeley, where she earned a political science degree, to a year at Equal Rights Advocates, where she helped women who faced gender discrimination, and ultimately to UC Hastings, where she earned her JD and participated in a clinical program with the San Francisco Public Defender’s Office.

The values that UC Hastings espoused dovetailed with her own ideas about the law. She particularly appreciated the way she said the law school engaged with the surrounding Tenderloin neighborhood “in order to give access to rights and to legal services” to poor people in need.

“That very much coincided with the way I understood the role of the law,” Waisman added. “The law should, in my mind, be used to break the status quo and to get more access to rights to more people.”

Rory Little, the Joseph W. Cotchett Professor of Law, said Waisman’s spirit was apparent even before he arrived at UC Hastings. Waisman was helping to organize a symposium on the federalization of crime and reached out to Little, a former federal prosecutor about to join the faculty. “Right off the bat, she impressed me and everyone else with her creative initiative in approaching problems,” Little said.

## Her True Calling

Waisman married an art historian while in law school, and they moved to New York City and then to Madrid in 1998. While her marriage didn’t last, she found her true calling.

In Spain, Waisman started a research project to develop a database of various innovative ways people were using the law to advance women’s rights. (She cites as one example U.S. Supreme Court Justice Ruth Bader Ginsburg’s groundbreaking work advocating for men who had been victims of gender discrimination as a way of establishing a prohibition against such treatment.)

In those days, nonprofits did not have access to LexisNexis or other tools, and the internet had not matured to facilitate the spread of those ideas. “If you wanted to see what strategies might have worked or not worked in terms of advancing discrimination claims, you would only be looking at a narrow radius around you,” Waisman said.

Once she assembled the strategies, Waisman wanted to put them to work in actual litigation. She quickly teamed up with a Bogota-based lawyer to bring a case to Colombia’s constitutional court that, in 2006, decriminalized abortion in certain instances, including rape, incest, or situations where the life or health of the woman is at stake—a landmark ruling that still stands today.

With that success, Waisman was off to the races. Little, her former professor, said one can’t understate the guts Waisman showed in starting Women’s Link.

“To start a women’s human rights legal

“

The law should, in my mind, be used to break the status quo and to get more access to rights to more people.”

—VIVIANA WAISMAN '95



## ENGAGED IN THE WORLD

project in Spain—which is a really male-dominated place, much more so than the U.S. and maybe more than other countries in Europe—is not just remarkable but courageous and almost stunning,” Little said.

“She has gotten funding from some major entities around the world and the U.S. by the force of her personality and intellect,” Little said. Yet, he added, “she is not, when you meet her, a forceful personality.”

“If you met her, you would not think she’s a steely, tough, bulldog lawyer,” Little said. “You think, ‘What a nice, smiling, charming person who is not threatening to me.’ By the end, though, you think, ‘I’d like to help this person,’ and you sign on.”

Waisman took her initial mission and grew it over the years. Today, Women’s Link focuses primarily on reproductive rights, violence against women, and discrimination.

“In the Dominican Republic, where there’s a complete ban on abortion, we represent a woman whose daughter was a 16-year-old girl who was several weeks pregnant when she was diagnosed with leukemia,” Waisman said. “The doctors didn’t give her access to a treatment because she was pregnant and so, as a consequence, she died. That’s what we see in countries where there are very restrictive laws. The consequences aren’t less abortions; it’s just more maternal mortality.”

Waisman notes: “There is no medical procedure a man would ever need to save his life that’s in any criminal code anywhere in the world. And abortion is in criminal codes everywhere, including to completely restrict it.”

### Expanding the Mission

In recent years, Women’s Link has also started addressing the particularly troublesome matter of human rights violations that women suffer at international border crossings.

Giselle Carino, the CEO and regional director for the International Planned Parenthood Federation, Western Hemisphere Region, and a Women’s Link board member, cited an

example of Waisman’s innovative thinking in this area.

In 2018, Carino and others went to a clinic on the Colombia-Venezuela border and heard stories of rape and other degradations women endured. “I knew, the minute Viviana heard those stories, she was going to come up with something, and she did,” Carino said.

The Women’s Link team found a 14-year-old girl who had walked to the border to escape the Venezuelan humanitarian crisis, only to be raped by the man who helped her cross—and then to be denied health services once she was in Colombia. Women’s Link took the case and, earlier this year, won a major victory.

The Colombian Supreme Court ordered urgent measures to ensure care for her and her baby, setting what Women’s Link called an important precedent.

“No one else is thinking about these things,” Carino said. “Humanitarian organizations don’t think about migration as a right. What are the rights of women and girls when they are stateless? They’re not recognized by their home country or by their new country. I thought that was amazing. She does things like that all the time.”

Waisman has also grown Women’s Link from the Spanish-speaking world to representing women and girls in Africa, after noticing that many of the issues were similar. For instance, news that women were imprisoned in Rwanda for pregnancy-related crimes bore a resemblance to similar jailings in El Salvador.

Women’s Link filed an amicus brief with the Rwandan court, helping get a woman’s life sentence reduced to 10 years—and then seeing the president, earlier this year, issue pardons to that woman and more than 300 others. “There are so many similarities between what happens in Rwanda and El Salvador,” Waisman said. “There is just a lot to learn about what happens in different countries with systems that restrict access to rights, and issues around poverty and who’s accessing health.”







If you've  
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—VIVIANA WAISMAN '95

### Little Victories

Most of Women's Link's victories are not so clear-cut.

"You think of victory as winning," Waisman said. "We define winning differently. If you've created a public debate or an awareness of rights violations that otherwise were completely invisible, so that the issue becomes front and center, that in itself is also a win."

That kind of strategic thinking had a big impact on Keina Yoshida, whose first job was working with Waisman at Women's Link, handling landmark cases in international courts.

"I learned so much from Vivi that I use today as a barrister in the UK," Yoshida said in an email. "It's a real skill to be able to advise on strategic litigation and see the bigger picture."

"Through Women's Link and now her teaching, Vivi encourages lawyers both inside and out of the organization to work with the law, to make it inclusive and intersectional," Yoshida said. "That's a huge achievement and quite unique."

With populism and anti-democratic sentiments on the rise around the world—in Brazil, India, Hungary, and even the U.S.—Waisman said the work of Women's Link is needed more than ever.

"A lot of times, a reaction is, 'Let's work to protect our democracy. We'll figure out what's going on with women's rights later,'" Waisman said, adding that women's rights are among the first to be threatened, and fighting to protect them can't ever let up.

"It's really an opportunity to put those issues front and center because that is where the attacks usually start," Waisman said.

That brings her back to why she does this work in the first place—motivated in part, she said, by the values instilled at UC Hastings.

"We seek to have more women have more access to rights," Waisman said. "We understand that if you take those people that are the furthest from access to rights, and you push them toward access, then you're pushing everyone toward a more equal society. And that's a vision of a more peaceful world where we all want to live."



Experts from UC Hastings are increasingly invited to spend time overseas, engaging in dynamic exchanges with their counterparts at prestigious international institutions of higher learning. In so doing, faculty, alumni, and students not only bring their expertise to conferences and classrooms throughout the world but also gain invaluable exposure to both the practice and study of the law in foreign countries.

One country in which this exchange has come to particular fruition is Germany. With a strong tradition of legal scholarship, Germany approaches some aspects of the law quite differently than the United States does, according to UC Hastings Chancellor & Dean David Faigman.

For instance, in Germany, students enter into an apprenticeship after earning their law degrees at the undergraduate level. In the United States, Faigman said, “lawyers for the most part learn on the job,” sometimes having taken courses in law school about parts of the law they will never use simply because they were needed to pass the bar.

“We could learn a lot from the Germans,” Faigman said. “The objective of both law schools and licensure organizations should be to cultivate and evaluate the ability of a junior lawyer to practice their profession.”

Such considerations are but a sampling of the kinds of comparative study that occurs when UC Hastings experts, such as the three described below, bring their knowledge and curiosity to two world-renowned institutions in Germany: Bucerius Law School and the Max Planck Society for the Advancement of Science, which runs more than 80 research institutes.



# INTELLECTUAL EXCHANGE IN GERMANY



MEMBERS OF THE UC HASTINGS COMMUNITY COLLABORATE WITH  
LEADING GERMAN INSTITUTIONS, SHARING KNOWLEDGE AND GAINING  
INVALUABLE EXPOSURE TO THAT COUNTRY'S LEGAL SYSTEM



Classroom education at Bucerius, Germany's most prestigious law school.



**Intellectual property crosses borders. Inventions and ideas cross borders. You have to know something about the international regime.”**

—PROFESSOR JEFFREY LEFSTIN

Bucerius Law School, in Hamburg, is considered the leading law school in Germany and has an enormous international reach, with 90 partner institutions throughout the world. The Max Planck Society institutes—located throughout Germany and abroad and dedicated to innovative research in life and social sciences and the arts and humanities—are regarded as being among the top research organizations in the world. The institutes have produced 33 winners of the Nobel Prize since the organization was founded in 1911.

#### **Jeffrey Lefstin: An International Approach to IP Law**

As academic co-director at Bucerius Law School, UC Hastings Professor Jeffrey Lefstin helps lead a summer institute that is a joint project of UC Hastings and the Bucerius Center for Transnational IP, Media and Technology Law and Policy. The program, which launched in 2014 and is offered in conjunction with the United Nations-affiliated World Intellectual Property Organization, brings together renowned academics





Professor Jeffrey Lefstin

as well as skilled practitioners from Europe and the United States. The practitioners, according to Lefstin, are well steeped in IP. “They spend every day negotiating intellectual property license agreements,” he said.

Established with UC Hastings Professor in Residence Dana Beldiman, the Bucerius/UC Hastings Summer Program in International IP Transactions seeks to provide students with an understanding of the differing legal systems that can affect intellectual property transactions in an international context. The course is available to advanced law students and young professionals. It offers a unique approach, Lefstin said, in that it focuses on licensing, not patentability and patent infringement, which are more often taught in IP classes. The course organizers invite expert speakers in all aspects of licensing—which can include IP law, contract law, and antitrust law, among others—and offer an experiential component in which students engage in mock contract drafting and negotiation.

“IP today is global, and it’s not enough for practitioners to know simply about the legal regime in their own country,” said Lefstin, a widely published specialist in patent law. “Any sophisticated company seeking to monetize and deploy its IP assets has to be thinking about the international implications.”

The diverse roster of students who take the course in transnational intellectual property law at Bucerius represents a living example of the global range of legal systems, Lefstin said. “I have students who come from different systems, so they start with different assumptions than

U.S. students do,” Lefstin said. “For instance, German law might take fairness in a contract much more seriously as a value.”

Such differences make international engagement vital to successfully practicing IP law.

“The world is so interconnected,” said Lefstin.

“Intellectual property crosses borders. Inventions and ideas cross borders. You have to know something about the international regime.”

Comparative study of different legal approaches, in this case comparing the United States to Germany, will form the basis of a seven-month research project Lefstin will pursue next year at the Max Planck Institute for Innovation and Competition in Munich.

This branch of the Max Planck Society is dedicated to legal and economic research on innovation, competition, and regulation. The institute features a prestigious international team of scholars and an extensive scientific and administrative infrastructure, including a world-famous library. As an independent institution, it provides evidence-based research results to academia, policymakers, the private sector, and the general public.



**Grounding my research in comparative cultural and political knowledge has enhanced the quality of my analysis and my policy prescriptions.”**

—PROFESSOR  
VEENA DUBAL

Lefstin will study differences between the United States and Germany in the patentability of scientific discoveries, such as medical diagnostics, a topic on which he offered congressional testimony in June.

He will also compare the state of licensing law in the United States, where one component of licensing law, intellectual property law, is within the jurisdiction of the federal courts, and another component, contract law, is within the state courts. In Germany, the two types of law are decided by a central court.

“One question to explore,” said Lefstin, “is whether unification of the contract and intellectual property law regimes yields a richer and more nuanced body of licensing law.”

Faculty members’ international engagement and comparative study are crucial to today’s



Bucerius Law School's campus in Hamburg.

law students, Lefstin said, adding that “our faculty’s experiences are important in promoting international cross-fertilization.”

## Veena Dubal: A Global Lens on the Tech Economy

The Max Planck Institute for the Study of Societies, in Cologne, invited 11 experts from outstanding institutions all over the world to a March 2019 symposium exploring the economic, political, and social impacts of technological transformation.

UC Hastings Associate Professor Veena Dubal, one of the foremost authorities on work conditions in the tech economy, was one of them.

The Max Planck Institute for the Study of Societies conducts research on the governance of modern societies by developing empirically based theories of the social and political foundations of economies and examining how markets and businesses fit into historical, institutional, political, and cultural frameworks; how they develop; and how their social contexts transform over time. The institute seeks to build a bridge between theory and policy in order to contribute to political debate on major challenges facing modern societies.

The institute asked for Dubal’s participation at the symposium to help derive insights into the most important research strands within the broad topic of technological change and society. Dubal’s invitation referred to the institute’s effort



Professor Veena Dubal



to “learn which approaches in the social sciences are most promising in developing a deep understanding of the interrelation between current technological changes and social and political development.”

Dubal is a leading expert on nonstandard—and often poorly paid and insecure—work in the tech economy. She has produced two ethnographies: one of taxi and Uber drivers in New York City and San Francisco and the worker collectivities that arose during the shift from a taxi to an Uber economy, and a second of white-collar tech workers in the San Francisco Bay Area and New York City (primarily those who work at YouTube, Verily, or Google) who call themselves the Tech Workers Coalition.

In just the past semester, Dubal and her research have been featured in a number of documentaries about workers' rights—including one in Brazil. Her research has also brought her invitations to Harvard, Princeton, UC Berkeley, MIT, and Yale—and to Max Planck, an opportunity she values highly as part of her overall international experience.

“Too many law scholars operate in a U.S. bubble,” Dubal said. “Grounding my research in comparative cultural and political knowledge has enhanced the quality of my analysis and my policy prescriptions.”

### Constanza Ortiz '20: Quantifying the Risk of Human Rights Violations

Having worked at both the World Bank and the Inter-American Court of Human Rights just before and after her first year at UC Hastings, Constanza Ortiz '20 took what was a unique perspective and came up with a plan for how to help detect and avoid human rights violations in Latin America.

At the World Bank, Ortiz had worked on a database for which information about occurrences of regional fraud and corruption was distilled into data points and used to assess the risk of such corruption occurring, and to detect and mitigate it in countries and regions where the bank operated.



Constanza Ortiz '20



If you organize and code information in a certain way, you can quantify risk, which gives you a better understanding of the problem and how to avoid it.”

—CONSTANZA ORTIZ '20



## ENGAGED IN THE WORLD

Working at a 40th anniversary event at the Inter-American Court of Human Rights, Ortiz had the opportunity to discuss her idea with Armin von Bogdandy, the director of the Max Planck Institute for Comparative Public Law and International Law, who had just written a book chapter on a similar topic. The Max Planck Institute for Comparative Public Law and International Law, in Heidelberg, focuses on current developments in public international law, European Union law, and the constitutional and administrative law of individual nations.

Von Bogdandy asked Ortiz to review his chapter, and he then helped organize a one-month fellowship in December 2018 that was designed for her to continue developing her research. At the end of the fellowship, von Bogdandy suggested Ortiz send a paper on her research to the Law and Development Research Network Conference, organized by educational institutions in Europe and the developing world, to be held at Berlin's prestigious Humboldt University in October 2019. Ortiz had written the paper for the *Hastings International and Comparative Law Review*, for which she is an editor. Based on submission of her paper, Ortiz was selected from candidates from all over the world to speak on a conference panel.

"Professor von Bogdandy had suggested I use the conference as a space to flesh out my ideas," Ortiz said. "It's a trajectory I never would have anticipated coming out of law school."

Ortiz hopes that sharing her research at the Berlin conference could help the World Bank and other institutions like the Inter-American Court of Human Rights to organize collaboratively and code information in databases to help guarantee the human rights of societies affected by international funding projects.

"I began this research because I felt the need to document a serious shortcoming," Ortiz said. "My hope is that by sharing this research with influential members of the international community, this can amount to desperately needed institutional change."

"If you organize and code information in a certain way, you can quantify risk," Ortiz said, "which gives you a better understanding of the problem and how to avoid it."

At the Inter-American Court of Human Rights, Ortiz realized that if the World Bank similarly organized the sentences and sanctions handed down by the court for human rights violations, the risk of such violations could be assessed and the violations pre-empted or mitigated. This could allow the bank to "better determine whether a project should be initiated, whether safeguards need to be implemented, and if other bodies of the bank need to be involved," she said.



RIGHT: UTE LANGKAFFEL



# THE WORLD COMES TO UC HASTINGS



SCHOLARS, ATTORNEYS, AND STUDENTS FROM ACROSS THE GLOBE RELY ON THE COLLEGE'S VAST EXPERTISE

# UC

Hastings has long been a magnet for scholars, students, and practicing attorneys from throughout the world. In the past decade, one key reason for this is the groundbreaking UCSF/UC Hastings Consortium on Law,

Science & Health Policy, which offers opportunities for interdisciplinary collaboration between two leading institutions.

Other significant attractions for members of the international legal community are UC Hastings' specialized legal technology programs, including LexLab, which provides an incubator for early-stage companies, and the Startup Legal Garage, which gives student hands-on experience working for an emerging tech company. In addition, international students from across the globe have come to UC Hastings through its renowned LLM program, which offers both classroom education and real-world training in different facets of the U.S. legal system.

Here, meet three thought leaders who have leveraged their experience at UC Hastings to advance the international exchange of ideas.

## Andrea Lollini: Pursuing Brain Equality

Andrea Lollini came to UC Hastings in 2014 as a visiting scholar from the University of Bologna in Italy and never left. He found that UC Hastings was the ideal place to further his research in the field of neurodiversity, which explores the thorny relationship between the law and those who have neurodevelopmental disorders such as autism spectrum disorder.

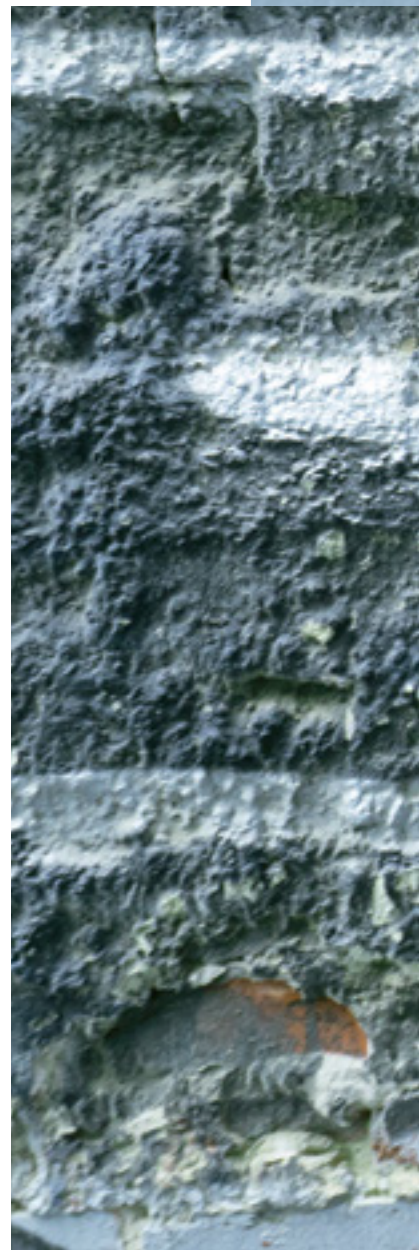
"The concept of neurodiversity is controversial," Lollini said, adding that he considers it, in essence, a civil rights issue in that it is about embracing the diversity of cognitive abilities in our society—what he calls "brain equality"—and adapting our legal systems accordingly.

Before joining the faculty at UC Hastings, Lollini had an extensive career in legal research with international organizations, including the Institut des Hautes Etudes Sur la Justice in Paris and The Hague Institute for the Internationalisation of Law. He was a tenure-tracked researcher in comparative constitutional law at the University of Bologna when, he says, he became fascinated by work being done at UC Hastings.

“

Transferring this new knowledge of science into the legal system is a matter of justice, equality, and advancement in society.”

—SENIOR FELLOW  
RESEARCHER  
ANDREA LOLLINI







Senior Fellow Researcher  
Andrea Lollini



## ENGAGED IN THE WORLD

In particular, Lollini was intrigued by the opportunity to work with David Faigman, now the law school's chancellor and dean, whose research in the field of neurosciences Lollini greatly admired. One of the pre-eminent experts on the law's use of science, Faigman has published widely, and his work has been cited multiple times by the U.S. Supreme Court. He is a member of the MacArthur Law and Neuroscience Network, among many other distinctions.

Lollini was also interested in the possibility of working alongside scientists and researchers at the UCSF/UC Hastings Consortium on Law, Science & Health Policy, of which Faigman was the founding director. Established in 2008, the consortium supports interdisciplinary collaboration on a variety of interrelated subjects and has developed innovative scholarly and professional opportunities for students and faculty at UCSF and UC Hastings, as well as for visiting researchers.

The consortium has an "incredible intellectual openness," Lollini said, "and it is not afraid of new ideas. The mechanism it provides to go back and forth between law and science is amazing."

In 2015, Lollini received a Marie Curie grant from the European Union for a three-year research project on the legal impact and sociopolitical implications of neurodiversity. When the project ended, he stayed on at UC Hastings, becoming an adjunct professor and a co-principal investigator of a new study at UCSF on neurodiversity among federal prisoners in a correctional institution in California.

The goal of this research is to see whether the prevalence of language-based learning disabilities like dyslexia is statistically higher among prisoners than in the general population.

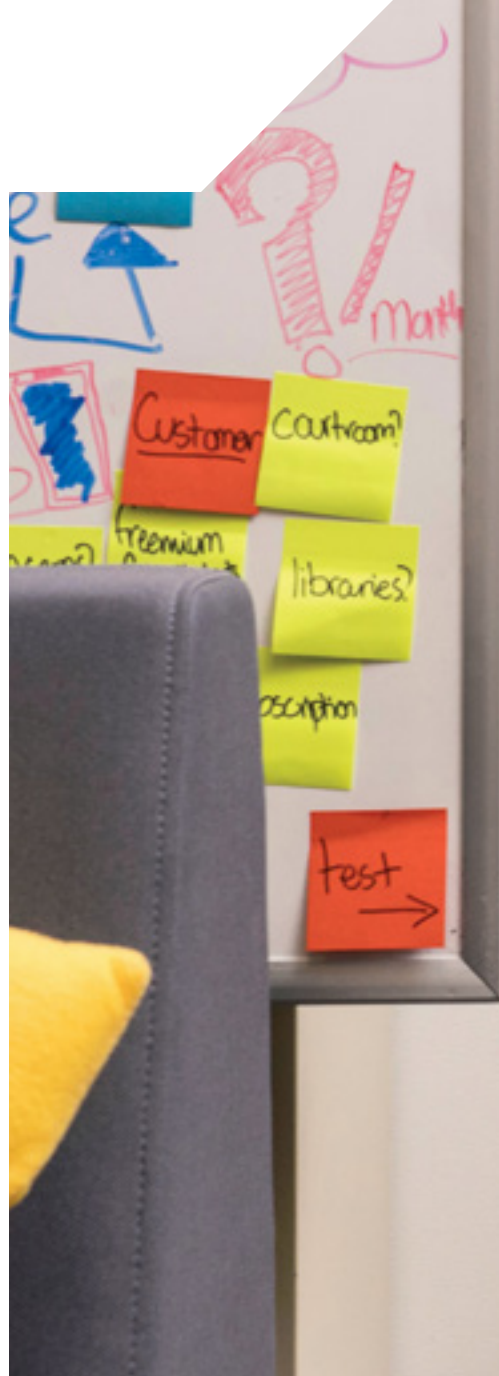
Lollini said the study might provide reliable statistical data that can help those incarcerated through specific interventions in prison schooling. "We are living in a legal system based on an understanding of human beings that is backward and outdated," he said. "Neurosciences now has a deeper understanding of the core functioning of the brain and how behavior can be influenced by the onset of diseases or social environmental factors. Transferring this new knowledge of science into the legal system is a matter of justice, equality, and advancement in society."

### Alice Armitage: Sharing Ideas for Innovative Programs

While the consortium facilitates collaboration at the intersection of law and science, UC Hastings' LexLab and Startup Legal Garage programs provide a link to tech startups in the surrounding community. They have become so highly regarded around the world that foreign universities have been sending delegations to the school to learn how they might develop similar programs.

In the past year, five universities have contacted Alice Armitage, director of applied innovation, who oversees LexLab and the Startup Legal Garage, asking to visit the school.

The University of Amsterdam was the first to come. In February 2019, a



They came to us because they know we have very innovative programs and because we are in San Francisco, which is known worldwide as the hub of innovation."

—ALICE ARMITAGE, DIRECTOR OF APPLIED INNOVATION



Director of Applied  
Innovation Alice Armitage

dozen professors and administrators met with Armitage; LexLab director Drew Amerson; and Paul Belonick, the head of the Startup Legal Garage, to discuss their work with technology experts and entrepreneurs and how the law school might provide their students with similar entrepreneurial experience.

“They came to us because they know we have very innovative programs and because we are in San Francisco, which is known worldwide as the hub of innovation,” Armitage said. “In San Francisco, there seems to be something in the air so we all feel more empowered to be innovative. We learn from people around us, students, and companies.”

Founded in 2011, the Startup Legal Garage offers students the chance to provide legal services to early-stage tech startups. About 50 students work on 25 projects each semester under the supervision of

outside law firms. LexLab provides workspace, mentorship, and networking opportunities for startups; it also provides a law and technology curriculum for students and hosts community events.

Other universities that have sent delegations to UC Hastings include the University of Copenhagen’s Amsterdam Faculty of Law, Guangzhou University in China, The University of Hong Kong, and Singapore Academy of Law. A Brazilian technology lawyer and a venture capitalist from India have also visited the school.





Balancing the legal and regulatory requirements we face with fundamental rights, such as the right to freedom of expression, makes this work superchallenging and fun at the same time.”

—KATHARINA  
ØSTERGAARD '16 (LLM)

THERESE AHERNE

Faculty from the University of Copenhagen came to see LexLab in action and Armitage, and her colleagues introduced them to individuals working in startups. Alexandra Andhov, professor of corporate law at the university's Centre for Enterprise Liability, visited UC Hastings twice. She subsequently asked Armitage and Amerson to write a chapter for a book, *Where to Start a Startup*, which advises entrepreneurs about the laws in various countries they need to know before deciding to establish a company.

Armitage and Amerson wrote a chapter on U.S. corporate, tax, and intellectual property laws that entrepreneurs have to deal with in setting up a company in the United States. Armitage also was invited to speak at an international conference on Law, Technology and Trust held at the University of Copenhagen in September.

Armitage said the meetings with international visitors have provided a perspective on the differences in how law schools outside the U.S. operate, which depend on each country's academic regulations. For example, schools may not be able to establish a legal "garage" in the same way UC Hastings has if students are not able to go off campus to work with companies.

"We're each looking at the same goal: how to teach students about the ways technology is impacting the law," Armitage said, "but the specific academic world we each operate in changes how that is carried out."

### **Katharina Østergaard '16 (LLM): Applying Perspectives Gained at UC Hastings to International Tech**

While the consortium, LexLab, and the Startup Legal Garage have become significant reasons international scholars choose to come to UC Hastings, the law school's robust LLM program similarly attracts both students and licensed attorneys from overseas.

Katharina Østergaard '16 (LLM) was a law student at the University of Bergen in Norway when she applied to UC Hastings' LLM program in U.S. legal studies. She chose UC Hastings, she said, because of its impressive reputation in international and immigration law, fields she'd developed a passion for as a young student in Norway, when she'd volunteered at Save the Children and served as a student representative at the United Nations. With an LLM degree from UC Hastings, she reasoned, she would gain important, comparative perspectives on international law that would be a tremendous asset in her career.

Established in 2002, the one-year LLM program has become one of the law school's signature offerings, giving international students and attorneys the opportunity to gain in-depth exposure to the U.S. legal system. Students may receive a general degree in U.S. legal studies, as Østergaard did, or specialize in one of eight areas, including criminal law, environmental law, health law and policy, international business and trade, and international law and human rights. To date, students

from some 55 countries have participated in the LLM program, in which they have access to more than 175 courses, as well as experiential clinics and many *pro bono* opportunities.

Østergaard made the most of these wide-ranging opportunities during her year at the law school. She credits her experience at UC Hastings' Center for Gender & Refugee Studies—which is focused on protecting the human rights of women, children, LGBTQ individuals, and others fleeing persecution—as being especially transformative. For six months, she assisted a woman from Guatemala who was seeking asylum in the U.S. The clinic eventually won her asylum and then successfully fought to bring her five children to the U.S. "It's very rewarding to work closely with someone and see how much of an impact you can have as a lawyer," Østergaard said.

Østergaard also cites the opportunity to contribute to the *Hastings International and Comparative Law Review* as an invaluable experience while pursuing her LLM.

Today, Østergaard works as a member of Google's international legal operations team. Based in the company's European headquarters in Dublin, she handles legal removal requests for YouTube as well as the implementation and compliance of new regulations.

"Balancing the legal and regulatory requirements we face with fundamental rights, such as the right to freedom of expression, makes this work superchallenging and fun at the same time," Østergaard said.

She said that her LLM degree helped her think about law in a bigger-picture way and understand different legal systems, which has been essential for her work. And she said her time at UC Hastings taught her the potential impact one can have with a law degree. For example, she said, protecting against online hate speech is an area where she feels she can have a big impact. "I had such an amazing experience at UC Hastings," Østergaard said. "It is a huge reason I am where I am now."





“

PEOPLE OFTEN FORGET THAT NO VULNERABILITY MATTERS UNLESS AN ATTACKER EXPLOITS IT. WE THINK THAT YOU SHOULD BE ABLE TO IMPOSE CONSEQUENCES ON THE PERPETRATOR AND NOT JUST STOP THE ATTACKS.”

—MIEKE EOYANG '02

# ADVANCING NATIONAL SECURITY

→ Gamechanger **Mieke Eoyang '02**, vice president at Third Way, has devoted her career to keeping Americans safe

Mieke Eoyang '02, who spent years working as a legislative aide specializing in national security issues on Capitol Hill, is currently the vice president for the national security program at Third Way, a think tank in Washington, D.C. In this role, she oversees a team that responds to the latest foreign policy crises and focuses on developing enforcement mechanisms to hold perpetrators of cyberattacks accountable for their crimes.

**Q:** Please describe your role at Third Way. My team thinks about foreign policy, national security, and how to deal with a variety of

STEPHEN VOSS

threats to the country. Unlike other think tanks, one of the things my program does is focus on Congress' role in national security policymaking. This is unusual in Washington since most people think about these issues through the lens of the executive branch and what the president should do. This gives us a neat perspective.

Members of Congress often ask us to brief them on foreign policy issues. Because the world is so chaotic, we often need to respond to events like the crisis in Venezuela or the attacks against ships in the Strait of Hormuz. In such situations, we get called on to help draft amendments or give advice on the language in amendments that have already been drafted.

We spend about half of our time working on a cyber-enforcement initiative designed to improve the government's ability to identify, stop, and punish the human behind malicious cyberattacks. People often forget that no vulnerability matters unless an attacker exploits it. We think that you should be able to impose consequences on the perpetrator and not just stop the attacks.

Because I sit at this intersection of politics and national security policymaking, I also frequently get called on by the media to explain current events that touch on my expertise.

**Q: Do you find that your job has become more difficult given the ever-increasing partisan divide in D.C.?**

I think the partisan divide makes it harder to identify the consensus strategies that are in the nation's best interests as a whole, and I worry that policies adopted by one party will get changed as soon as the other party takes over. That's really disorienting for our allies. It's hard for them to trust America's word if the other party's going to renege on them immediately afterward.

**Q: What gives you hope for the future?**

When I started my career, there was real skepticism among Democrats that national security mattered. Today, however, a lot of people realize that it's important to understand how our military and foreign policy work. There are a large number of recently elected members of Congress who have backgrounds in national security, and there's broad agreement that we need to work on fixing things like the breaking of alliances and the ways some of our military interventions have been mismanaged.

**Q: Describe your commitment to mentoring women in national security.**

It's an initiative I've worked on my entire career. My first job on Capitol Hill before UC Hastings was for Representative Pat Schroeder. She was a real champion for women in national security and authored amendments that repealed restrictions on women in combat.

As I advanced in my career, I encountered other women in the field and we began sharing common professional challenges. We recently launched the Leadership Council on Women in National Security. The organization got 15 of the presidential campaigns to commit that, if elected, they would seek gender parity in their national security political appointments. This is particularly important because it is only fairly recently that women have been able to serve in combat roles and therefore relatively new to see women being viewed as legitimate national security leaders. Today, you have a military and a national security establishment that could not function without those women.

**Q: How did UC Hastings prepare you for your post-law school career?**

My time at UC Hastings was pretty tumultuous. As student body president, I presided over a couple of controversies involving the school's student activities fund and an on-campus political debate. Were it not for the First Amendment seminar I took with Professor Faigman [now chancellor and dean of UC Hastings], I never would have known how to handle them. At UC Hastings there are a lot more opportunities to address social change and put your legal education into practice than might be immediately apparent. And I encourage students to take advantage of that. Your experience doesn't have to be exclusively academic.



## CLASS NOTES

→ News about your classmates and colleagues

### 2019

**Jennifer Bentley** recently won an insurance writing competition sponsored by the American College of Coverage Counsel.

### 2017

**Penney Azizi** was named Nixon Peabody's Pro Bono Attorney of the Month for helping her client clear a major legal hurdle in an effort to finalize the adoption of two children.

### 2016

**Maxwell Paderewski** and his wife, **Pardeis Heidari**, recently moved to Houston, where Max opened his personal injury practice, Lone Star Injury Attorneys. Max helps Houston and Fort Bend County residents with car accidents, truck



Maxwell Paderewski '16



Freeman L. Levinrad '12

accidents, and wrongful death cases, among others.

### 2015

**Emily Fons**, of Quarles & Brady, was selected as one of *Milwaukee Business Journal's* 2019 40 Under 40 honorees. She was also named a Top 100 Legal Influencer in the Nation by *The Business Journals*.

### 2014

**Aria Ghafari**, legislative director for Sen. Tom Umberg, was named one of two CUE Advocates of the Year. **Robert Im** joined McGlinchey Stafford's commercial litigation practice in Irvine.

### 2012

**Freeman L. Levinrad**, of Trucker Huss, APC, began

serving as president of the National Institute of Pension Administration San Francisco Chapter board of directors on July 1, 2019. Freeman has been an integral member of the board for several years.

**Kelly Matayoshi** was named president-elect of the Bar Association of San Francisco's Barristers Club board of directors. After a one-year term beginning on Jan. 1, Kelly will become president. **Rye Murphy** published "Competing Ideologies at the Formation of the Federal Class Action Rule: Legal Process Versus Legal Liberalism," in the *Drexel Law Review*. The article drew from courses Rye took at UC Hastings from Reuel Schiller (legal history) and Richard Marcus



Sarah M. Shekhter '11



Leah Cameron '10

(civil procedure). **Stuart Thompson** was appointed chief deputy appointments secretary by Gov. Gavin Newsom.

### 2011

**Sarah M. Shekhter** has joined San Diego-based law firm Seltzer Caplan McMahon Vitek's litigation department as an associate. Sarah is a trial attorney, whose practice primarily focuses on complex business matters. She is committed to helping corporations, officers, and directors in a wide range of industries with their most challenging and sensitive legal disputes.

### 2010

**Leah Cameron** was elevated to senior counsel at acclaimed employment, labor, and business immigration law firm Carothers DiSante & Freudenberger in its San Francisco office. Leah advises and defends

## ADVISING A SMALL NATION ON MEGA MATTERS

→ **Sina Alavi '14** helps shape Liechtenstein's key role in global affairs



For a tiny country, the European principality of Liechtenstein—population 38,000—has an outsized influence on international criminal law, according to Sina Alavi '14.

Sina has served as a senior legal and political adviser at Liechtenstein's mission to the United Nations for three years. He attributes the country's sway partly to its veteran ambassador, Christian Wenaweser, who has played a lead role in developing the International Criminal Court, and partly to the egalitarian nature of the UN, where, Sina said, rather than the size or power of a country, "sometimes it's the cogency of the argument that wins the day."

Sina grew up in Southern California, the son of Iranian immigrants. His mother was raised

in Germany, and Sina speaks English, German, French, and Farsi. "We have family all around the world," he said. "My upbringing always had a very international focus."

He came to UC Hastings with international law in mind and spent his third year in Paris, studying European Union law from the Université Panthéon-Assas, where he earned a Master of Laws concurrently with his JD.

At UC Hastings, he particularly appreciated courses with Naomi Roht-Arriaza, Chimène Keitner, Joel Paul, and Ugo Mattei. "They're all world-class thinkers in this area of the law and helped me develop my ideas," Sina said.

Upon graduation, he spent a year on a fellowship with the Coalition for the International Criminal Court in New York, which he said acts as an umbrella

for 2,000 smaller NGOs advocating for international justice. "Liechtenstein wasn't on my radar at that point," he said, but he began working with people from the mission and seeing its huge influence. His knowledge of German, he notes, was particularly helpful in getting hired for his current position.

Today, Sina feels particularly fortunate to work on the front lines of critical issues shaping international criminal law, from how to deal with war crimes in Syria and Myanmar to how to hold any country accountable for an act of aggression against another. In fact, Liechtenstein has taken the lead in efforts to resolve some unfinished business from the Nuremberg trials, and Sina says he has been privileged to work with legendary Nuremberg prosecutor Ben Ferencz, now 99 years old, who convicted 22 Nazis for the murder of 80,000 Jews. "He's really inspirational," Sina said. "Today, with global tensions on the rise, it's interesting to speak to someone who saw far, far worse."

Sina hopes his work today may help the world "make sure we're not on a slippery slope to do something worse again."





Matthew Avery '09

California employers through all aspects of the employment relationship.

## 2009

(reunion year)

**Matthew Avery** was recently elected to the partnership of Baker Botts in San Francisco, where his practice focuses on patent prosecution and counseling. He moved back to San Francisco in 2017 to help Baker Botts open its new office in the city. Matt is also back at UC Hastings regularly, now as an adjunct professor, teaching courses on patent prosecution and food and drug law. / **Mark Muir** was elevated to partner at Greenberg Glusker, one of Hollywood's biggest law firms.

## 2008

**Jerome Pandell** moved to Alamo, California, in December 2018 with his fiancée, Emlyn Struthers. In addition to continuing his litigation practice at

Pandell Law Firm, Jerome was appointed to the Contra Costa County Superior Court's Alternative Dispute Resolution Panel.

## 2007

**Manuel Alvarez** has been appointed commissioner of the California Department of Business Oversight, Gov. Gavin Newsom announced. / **Alex Coolman**, who recorded and performed music before and while attending UC Hastings, released a five-song EP of indie electronic pop in August 2018 under the name Junior Knits. The *Trouble* EP, influenced by LCD Soundsystem, Talking Heads, and The Magnetic Fields, is available on any major streaming service. / **Timothy Hsieh** served as a judicial law clerk to the Honorable Kandis A. Westmore of the U.S. District Court for the Northern District of California and as a judicial law fellow for the Honorable Michael A. Shipp of the U.S. District Court for the District of New Jersey in 2018. / **Andrew King** was named partner at Bloom and King. / **John W. Rockwell** joined WilmerHale as a partner in the firm's Palo Alto office. John has built a successful practice representing emerging companies and investors across a range of corporate matters.

## 2006

The Bar Association of San Francisco announced plans to celebrate the appointment of **Amarra Lee** to the San Mateo County bench. Amarra broke ground as the first female African-American judge in San Mateo. / **Amanda Lynn Morgan** was promoted to partner in DLA Piper's San Francisco office.

Amanda focuses on complex litigation and commercial disputes related to business competition and protection of business assets.

## 2005

**Jeremy Cloyd** co-founded the trial advocacy law firm Altair Law. Jeremy is a two-time nominee for San Francisco trial lawyer of the year. He focuses on injury cases that have impacted his clients' life, work, or happiness. / **Kimberly Culp** joined the firm of Carr McClellan in Burlingame as a director. Kimberly's



Amarra Lee '06

practice focuses on advertising and intellectual property issues for emerging technology and video game companies. / **Liz Masson** was named a new partner at Hanson Bridgett. / **David Sun** is a detective supervisor with the Los Angeles Police Department and serves as the department's legislative liaison. David was previously assigned to the Wilshire and Hollywood community police stations, Jail Division, Ombuds Section, and Office of Constitutional Policing and Policy.

## 2004

(reunion year)

**Brian J. Malloy** was selected by his peers for inclusion in The Best Lawyers in America for 2019 and Super Lawyers (Northern California) for 2018. He is with The Brandi Law Firm in San Francisco, where he lives with his wife, Aimee. / **Markecia Wyatt Simmons** is a civil advisory attorney with the Office of the San Diego City Attorney. She has been with the City Attorney's Office for over 13 years. Her husband, the Honorable **James Edward Simmons Jr.**, was appointed to the San Diego Superior Court in November 2017 by former California Gov. Jerry Brown. They share two boys, ages 10 and 7.



Patrick McKinney II '01

## 2001

**Shaye Diveley** was elevated to principal at Meyers Nave.

**/ Patrick McKinney II** was appointed to a judgeship in the Alameda County Superior Court. He has served as general counsel at the California Department of Corrections and Rehabilitation since 2015. He served at the California Office of the Attorney General from 2011 to 2015 and was an attorney at Farella, Braun + Martel from 2001 to 2011. He fills the vacancy created by the retirement of Judge Jeffrey Horner. **/ Erin Schneider** was named director of the Securities and Exchange Commission's San Francisco office. Schneider joined the SEC staff in 2005. In her new role, Erin will lead a staff of more than 125 enforcement attorneys, accountants, investigators, and compliance examiners involved in the investigation

and prosecution of enforcement actions and the performance of compliance inspections in the Northern California and Pacific Northwest region.

## 2000

**Sanjeev Ayyar** has taken a new role at Kosmos Energy in its tax department. He is excited about the new role and will be moving to Dallas.

**/ Laurel Gift**, partner at Schnader Harrison Segal & Lewis, received the President's and Directors' Commendation, an award from the Pennsylvania Association of Criminal Defense Lawyers (PACDL) at its 2019 Joint Annual Conference held in Harrisburg on April 26, 2019. Laurel was also recently elected vice president (Western District) of PACDL, and she serves as co-chair of PACDL's Advocacy Committee and as the chairperson of the Allegheny County



Alysse E. Hollis '00



## PACIFIC EXERCISES

**LLOYD CHEE '00** and **JESSICA WOO '12** recently collaborated in Pearl Harbor, Hawaii, during Exercise Rim of the Pacific (RIMPAC), the world's largest international naval exercise. Over 25,000 personnel, 46 ships, five submarines, and 200 aircraft from 25 nations participated in RIMPAC 2018. RIMPAC is a unique training opportunity designed to foster and sustain cooperative relationships that are critical to ensuring the safety of sea lanes and security on the world's interconnected oceans. Jessica, a lieutenant and JAG officer in the U.S. Navy, is currently an instructor at Naval Justice School Detachment San Diego. Lloyd, a surface warfare officer and captain in the U.S. Navy Reserve (and practicing at Amazon in Seattle), was in command of an international, seven-ship task force during the exercise. She was assigned to provide legal support and advice to the overall maritime commander, a Chilean admiral.

Chapter of PACDL. She chairs Schnader's criminal defense practice group and the internal investigations, ethics, and compliance practice group. She concentrates in the area of internal investigations

for institutions of high education, municipalities, and private businesses and representing corporate and individual clients in a variety of criminal matters. **/ Alysse E. Hollis** was named to Best Lawyers' 2020 Lawyer of the



Year Cincinnati report in the area of public finance law. The legal guide designates a single top lawyer per practice specialty in each geographic region. Her practice is focused on the development and financing of affordable housing, where she serves as bond and underwriter's counsel.

## 1999

Former UC Hastings Board of Governors President **Charan Brahma**, a partner at Troutman Sanders, was named to the Lawyers of Color's inaugural Nation's Best list. / **Troye Shaffer**, a 17-year veteran of the Sonoma County District Attorney's Office and its chief deputy since 2015, has been appointed a commissioner for Sonoma County Superior Court.

## 1998

**Ruben Duran**, a partner at Best Best & Krieger, is serving an appointment to the State Bar of California board of trustees. Sworn in Sept. 13 by California Supreme Court Chief Justice Tani Cantil-Sakauye, Ruben was appointed by Assembly Speaker Anthony Rendon. Ruben has worked with and for public agencies for the entirety of his 20-year career. / **Todd Williams** has been selected to the 2019 edition of Best Lawyers in America.



Jean-Pierre Francillette '97

He is a partner with Oakland-based law firm Wendel Rosen Black & Dean.

## 1997

**Sasha M. Cummings** was honored with the 2019 Hon. Ira A. Brown Jr. Distinguished Adjunct Professor Award by USF School of Law. / **Jean-Pierre Francillette** has worked as an administrative law judge in Sacramento at the Office of Administrative Hearings and Appeals for the past four years. Prior to that, Jean-Pierre worked as a senior attorney at the California Department of Health Care Services, and then as a deputy attorney general at the California Department of Justice. / **Barack Obama Mandela** was appointed judge advocate of the American Legion. He also became a member of Disabled American Veterans organization.

## 1996

**Elaine Fitch** is pleased to announce that the fourth edition of Kalijarvi, Chuzi, Newman & Fitch's *Security Clearance Law and Procedure*, which she wrote and edited with Mary E. Kuntz, has been published

by Dewey Publications. The book offers a comprehensive and authoritative analysis of security clearance law and covers governing case law and the recently revised Adjudicative Guidelines. / **Jeffrey Li** was appointed senior vice



## PRESIDENT OF CAL STATE FULLERTON

**FRAMROZE (FRAM) VIRJEE '85** is the president of California State University, Fullerton. After a three-decade career as a partner at O'Melveny & Myers, Fram joined the California State University (CSU) in 2014 as the chief legal officer for the largest public university system in the country (23 campuses; 485,000 students; 48,000 employees). This "second calling" and his commitment to providing equitable access to public higher education eventually led to his appointment as president of the system's largest campus—California State University, Fullerton. As CSUF's chief executive officer, Fram now leads more than 4,000 educators serving 40,000 students at an institution that is No. 4 in the nation for bachelor's degrees awarded to underrepresented students, No. 6 in the nation for lowest net cost, and home to more first-generation college students than any university in the state.



Elaine Fitch '96

president, general counsel, and secretary of Keysight Technologies. / **Donna Mooney** was selected for the newly established in-house city attorney position with the City of Pittsburg. Her article “Goat Hill Tavern: A Retrospective” was published in a joint issue of the *Real Property Journal* and *Public Law Journal* earlier this year. She contributed to the newest edition of *The People's Business: A Guide to the Public Records Act*, by the League of California Cities. / **Dean Preston**, a tenants rights advocate and California eviction defense attorney, is running for District 5 supervisor. / **Jolene A. Yee** was appointed to the faculty for Sonoma State University's School of Business and Economics Hybrid Executive MBA in Wine Business. Jolene will teach in the core program, and in the leadership intensive in Australia. Jolene currently

serves as vice president and general counsel for Delicato Family Vineyards. She lives in Napa with her lawyer-husband, two children, six chickens, and a puppy.

## 1995

**Lesley Grossblatt** is chief product officer of KQED, the public media station serving Northern California. In this newly created position, Lesley will oversee all of KQED's digital activities, including product management; user experience and design; software engineering; and the KQED Lab, the station's in-house innovation incubator.

## 1994

(reunion year)

The Honorable **Syda Cogliati** was elected to the Santa Clara Superior Court of California.

## 1993

**Edward Kimball** was recently



Jolene A. Yee '96

## IN MEMORIAM

### ALUMNI

#### 2013

**JACQUELINE TOKOS LENTZ** passed away on July 25, 2018. She worked for several years as a U.S. congressional aide in the 10th Congressional District and practiced political law as an attorney with the law firm of Nielsen Merksamer in San Rafael.

#### 1989

**WILLIAM (BILL) MITCHELL ANDREWS** passed away at his residence on June 6, 2019, in Los Angeles. William was born to Don and Virginia Andrews on Oct. 20, 1958, in Anchorage, Alaska. He moved to Monterey as a child and then to Tuolumne County, where he graduated from Sonora Union High School in 1976. After graduation, he attended the University of Washington, where he earned bachelor degrees in both English and political economics. After earning his JD from UC Hastings, William practiced law in both San Francisco and Los Angeles.

#### 1982

**JAN RUTHERDALE** passed away on Feb. 23, 2019. Born in Los Altos, Jan graduated from UC Hastings and then made her way to Juneau, Alaska, where she began her career as a public attorney, working as an Alaska Supreme Court clerk, assistant public defender, and assistant attorney general.

#### 1975

**JUNE MORONEY** passed away on Jan. 14, 2018. She practiced law along with other trailblazing women lawyers in California and was involved in various organizations, including the Napa Valley Democrats, Planned Parenthood, and the Marine Mammal Center in Sausalito.

#### 1974

**ED TODD** passed away on July 6, 2019. He practiced law for a few years before committing his career to American rugby, where he became an important figure. Ed went to high school in Scotland and learned the game there, and was the scrum-half on USC's national championship team while in college. He led UC Hastings' rugby club to its tremendous upset over Cal at Memorial Stadium in 1977.

continued on page 52



## REMEMBERING JEFF ADACHI '85

→ San Francisco's longtime public defender dedicated his life to justice for all

The UC Hastings community—and defenders of justice for all—lost a fierce champion in February with the death of San Francisco Public Defender Jeff Adachi '85.

"The legal profession has lost one of its best," said UC Hastings Chancellor & Dean David Faigman in a letter he wrote the day after Jeff's death.

"His lodestar was always the fundamental constitutional principles of fairness and equity," Faigman said. "He fought to empower those with little or no power, to provide opportunity to those with little or no opportunity, and to ensure that the rule of law was adhered to by those charged with enforcing the law."

Jeff, whose Japanese-American parents and grandparents were held in internment camps during World War II, began his lifelong commitment to defending the defenseless with his graduation from UC Hastings in 1985. He immediately joined the San Francisco Public Defender's Office as a deputy public defender, rising to the rank of chief attorney of the office, before being elected San Francisco public defender in 2002.

Jeff fought hard in and out of the courtroom, leading more than 150 jury trials and handling more than 3,000 criminal matters, while backing laws supporting treatment over incarceration, and working to secure funding for the Public Defender's Office. Under his leadership, the office was known for its innovation. Jeff instituted programs providing in-house social workers; expungement and re-entry assistance; and literacy, health, and recreation opportunities for low-income

youth, among many other services.

Extending his mission beyond his day-to-day work, Jeff made award-winning documentary films about public defense, racial stereotypes, and discrimination under the law. He also ran for mayor of San Francisco in 2011. While he did not get elected, he took on City Hall and labor interests during his run by proposing a pension reform system to help restore the city's financial integrity.

Many at UC Hastings know that Jeff, who as a young man was recognized for his potential through the UC Hastings Legal Educational Opportunity Program (LEOP), mentored generations of law students, inspiring them to enter public service.

"He was a passionate defender of those that needed defending most," Faigman said. "And he inspired others to do the same."



Willie L. Brown Jr. '58  
and Jeff Adachi '85.



Rodney K. Nickens Jr. '16  
and Jeff Adachi '85.



“

THE LEGAL PROFESSION HAS  
LOST ONE OF ITS BEST. [JEFF  
ADACHI'S] LODESTAR WAS  
ALWAYS THE FUNDAMENTAL  
CONSTITUTIONAL PRINCIPLES  
OF FAIRNESS AND EQUITY.”

—CHANCELLOR & DEAN DAVID FAIGMAN





Michael Hunter Schwartz '87

promoted to vice president and senior counsel at the Savings Bank Mutual Life Insurance Company of Massachusetts. / **Susanne Meline** was appointed to Aqua Metals' board of directors. / **John Mendlein** was named executive partner at Flagship Pioneering. / **Matt Turetsky** launched his own mediation and arbitration practice, Matt Turetsky Mediation/ Arbitration PLLC, after 25 years of working at one of the Pacific Northwest's largest law firms.

## 1988

**Timothy M. Freudenberger**, founding partner of Carothers DiSante & Freudenberger, was named one of the 2020 Best Lawyers in America for Employment Law—Individuals and Management; Litigation—Labor and Employment; and Class Actions—Defense, in Irvine.

## 1987

**Michael Hunter Schwartz**, dean and professor of law at McGeorge School of Law, was one of only 40 individuals selected to join the inaugural class of CLEO EDGE Honorees for his outstanding contributions in the field of education. He also has launched a new blog, What Great Law Schools Do, and published a third edition of his book, *Expert Learning for Law Students*.

## 1986

**Janice Sperow** retired as managing partner of Ruiz & Sperow and adjunct professor at University of San Diego and now serves as a full-time arbitrator with the AAA, NAM, FINRA, ROSE, BBB, and NFA, specializing in commercial, financial, intellectual property, employment, and consumer disputes. Janice was appointed to serve as a judge pro tem for San Diego Superior Court.



Janice Sperow '86

## 1983

The Honorable **Theodore (Ted) Zayner** was a supervising judge of his court's civil division in 2018. He has taken a seat on the executive board of the California Judges Association for a three-year term. Together with two of his Santa Clara judicial colleagues, he led his triathlon relay team, "Men in Black," to repeat its 2017 success by winning the international relay division at Tri Santa Cruz in August 2018.

## 1982

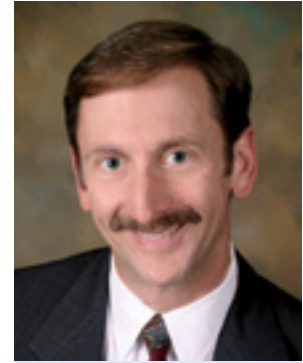
**Leslie Krasny** received a Distinguished Service and Leadership Award from the Food and Drug Law Institute.

## 1981

**Anna Han** was appointed interim dean of the Law School at Santa Clara University. She has taught there for 30 years and looks forward to this new role, which she started on June 1. She will be the second female dean of the law school.

## 1980

**Thomas Umberg** was elected to the California State Senate.



Theodore (Ted) Zayner '83

## 1979

(reunion year)

Hartog, Baer & Hand Managing Principal **John A. Hartog** was named to the Super Lawyers 2019 Top 10 list of lawyers in Northern California. He has been selected 15 times to the Top 100 list of lawyers in Northern California. John is a California-certified specialist in estate planning, trust and probate law, and taxation law. He possesses expertise in counseling trustees, administering living trusts, and resolving disputes among beneficiaries and fiduciaries. He is a fellow of the American College of Trust and Estate Counsel and a past chair of the executive committee of the Trusts & Estates Section of the California State Bar. He is also a past chair of the Estate Planning, Trust and Probate Law Advisory Commission to the Board of Legal Specialization of the

California State Bar.

## 1978

**Jennifer Keller**, a fellow of the American College of Trial Lawyers and 2018 inductee into the California Trial Lawyer Hall of Fame, was named to the 2019 Benchmark Litigation Top 20 Trial Lawyers in California, a list of the top courtroom advocates in the nation's largest state. Benchmark also named Jennifer to its list of the Top 100 Trial Lawyers in America. She was also named to the Top 10 Southern California Super Lawyers list for 2019; she was also selected in 2018. According to Super Lawyers, which is published annually in *Los Angeles* magazine, Jennifer was ranked No. 2 in Southern California (out of nearly 100,000 attorneys in the region, per the California State Bar). She was also named to the 2019 Lawdragon 500 Leading Lawyers in America, as well



Jennifer Keller '78

as to the *Los Angeles Daily Journal* and *San Francisco Daily Journal's* Top Women Lawyers of 2019 for the 10th time. / **Howard Lind** has been selected to the 2019 edition of Best Lawyers in America. Howard was first selected to the list in the 2016 edition. He is a partner with the Oakland-based law firm Wendel Rosen Black & Dean. / **Richard Waxman** has been selected to the 2019 edition of Best Lawyers in America. Richard was first selected to the list in the 2016 edition. He is the managing partner of Oakland-based law firm Wendel Rosen Black & Dean.

## 1976

The Honorable **Michael Johnson** (ret.) recently joined ADR Services in Los Angeles as an arbitrator, mediator, and discovery referee, focusing on employment law and business litigation. Michael retired from the Los Angeles Superior Court in 2018 after more than 20 years of presiding over civil and criminal cases. Before becoming a judge, he was a civil litigation attorney in Los Angeles.

## 1975

**Gerry Hinkley**, a partner at Pillsbury Winthrop Shaw Pittman, was named the 2018 HealthCare Firm Attorney of the Year by the *Los Angeles Business Journal*.

## IN MEMORIAM (CONTINUED)

### 1969

**JON PETER DIXON** passed away on July 12, 2018. He served in the JAG Corps in Vietnam and was awarded the Bronze Star Medal in 1969, later becoming a respected San Francisco attorney and a member of the American Board of Trial Advocates Foundation.

**JUDGE PETER ANTHONY NOWINSKI** passed away at his home in Sacramento on July 26, 2018. As a young trial attorney, he joined the Civil Division of the United States Justice Department in Washington, D.C., and managed the U.S. government's response to the asbestos litigation crisis. He later served at the United States Attorney's Office in Sacramento as first assistant U.S. attorney then U.S. attorney. He returned to the Justice Department in Washington as chief associate deputy attorney general, but left his position after being appointed U.S. magistrate judge for the Eastern District of California in 1990.

### 1967

**STANLEY LOWELL SMITH JR.** passed away on Aug. 6, 2018, at the age of 76. Stan served in Vietnam as a captain in the U.S. Marine Corps, Third Marine Division. Among other awards, he received the Navy Commendation Medal. He opened a private law practice in 1986 with his wife, Lois, which they ran together until retiring in 2000.

### 1966

**FRANCIS CORNELIUS BUCHTER** passed away on Aug. 5, 2018. He became chief legal counsel for the California Department of Parks and Recreation only eight months after law school and remained in service there for 30 years.

**ROBERT S. BUTLER** passed away on July 19, 2018, in La Mesa.

### 1965

**SALLE SEAMAN SOLADAY** passed away on July 23, 2018. She was inspired to start a legal career in political advocacy after being escorted out of a House Un-American Activities hearing in San Francisco by a federal marshal for applauding a witness's rebuke of the McCarthy-era interrogation. She became an outspoken female attorney in a male-dominated profession, representing individuals who were victims of discrimination

continued on page 54



## IN MEMORIAM (CONTINUED)

and institutional racism, including an early transsexual medical malpractice case and a death penalty appeal for a man with intellectual disabilities.

1964

**DAVID GREENLEAF MOORE** died at his home in Riverside on Aug. 12, 2018. He had a successful, 52-year career as an attorney with Reid & Hellyer, where he earned a reputation as a pre-eminent trial attorney whose accolades included serving as lead counsel for over 20 jury trials, membership in the American College of Trial Lawyers and the American Board of Trial Advocates, and annual listings as both a Super Lawyer and one of The Best Lawyers in America.

1962

**WILLIAM "PATRICK" O'CONNOR** passed away on May 6, 2019. A service was held on July 6 at the Outrigger Canoe Club in Honolulu, Hawaii, where William spent much of his life.

1961

**EDWARD A. HINZ JR.** passed away on May 6, 2019. Edward served as a municipal court judge, superior court judge, and in his final years, a justice of the Court of Appeal.

1952

**WILLIAM "BILL" ROWLAND SWEENEY** passed away peacefully on March 8, 2019, at the age of 93.

**GEORGE S. YOUNGLING** passed away on Aug. 22, 2018, at age 95. He served with the United States Merchant Marines in the North Atlantic, Mediterranean, and Pacific during World War II and later practiced law for more than 50 years.

## FACULTY AND FRIENDS

**NINA SEGRE** passed away on Aug. 12, 2019, of a heart attack while vacationing in Alaska. Nina, a real estate lawyer, served on the UC Hastings faculty for several years, where she taught real estate transactions.

**/ Leo Martinez** was selected to the first full board of directors of Public Media Venture Group.

1974

(reunion year)

**Alan Charles "Chuck"**

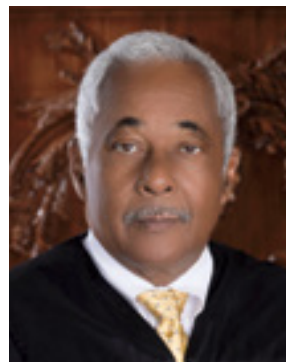
**Dell'Ario** received a CLAY award for successfully prosecuting an appeal in the California Supreme Court and Court of Appeal establishing a duty on all colleges to protect and warn their students of foreseeable violence in curricular activities. His client, a UCLA pre-med student, had been stabbed and slashed in the chem lab by a fellow student known to be mentally disturbed with a history of violence. **/ Nevada Supreme Court Chief Justice Michael L. Douglas** retired from the court on Jan. 7, 2019, and assumed senior justice status after 24 years as a Nevada Supreme Court justice and trial court judge. **/ Joseph Marshall** was listed in *San*

*Diego* magazine as a 2019 Top Lawyer in San Diego. Joseph is a shareholder with Sullivan Hill and chair of the business and corporate transactions and real estate law practice groups.

1973

**William B. Smith** of

Abramson Smith Waldsmith, San Francisco was elected to serve as the 2018 president of Cal-ABOTA, which is the largest and oldest regional American Board of Trial Advocates organization. It encompasses all eight ABOTA chapters in California. He continues to be an active national ABOTA board member and was former chairman of the national ABOTA Civility and Professionalism Committee. ABOTA is a national civil trial organization made up of approximately 7,000 members in every state in the union. ABOTA advocates the importance of the Seventh Amendment right to a civil jury trial and civility and professionalism. Cal-ABOTA puts on an annual Teachers' Law School in California to help California educators teach the importance of principles such as separation of powers and the independence of the judiciary. Cal-ABOTA serves California's judiciary by establishing a Rapid Response Program to help



Michael L. Douglas '74



Tommie W. Whitener '71

respond to jurists who are unfairly criticized. Cal-ABOTA is made up of approximately 1,700 ABOTA members in California, many of whom are UC Hastings graduates.

## 1971

**Tommie W. Whitener**, recovering lawyer and enthusiastic author, will be editor-in-chief of the Redwood Writers (Santa Rosa) 2019 anthology of short stories and memoir titled *Endeavor: Stories of Struggle and Perseverance*. Tommie's previously published books include the novel *Mother Earth: Three Couples* and his collection of short stories, *Wanda and the Watch*.

## 1966

**Guy O. Kornblum** is the senior partner in the San Francisco/Santa Rosa civil litigation firm of Kornblum, Cochran, Erickson & Harbison. He

has been selected for listing in the 25th edition of the Best Lawyers in America and named for the 12th consecutive year as a Northern California Super Lawyer. Guy has also been selected for membership in Premier Lawyers of America, a prestigious, invitation-only organization that recognizes the top 1 percent of attorneys in America. "Membership in Premier Lawyers of America is reserved for top-rated attorneys who are able to meet or exceed demanding selection criteria," stated Robert Nguyen, director of membership services for the organization. "Mr. Kornblum's exceptional legal ability, client advocacy, and success sets him apart from his peers."

### CORRECTION:

In the last edition of Class Notes, we misattributed the submission from **Larry Pozner '73**. Pozner, past president of the National Association of Criminal Defense Lawyers, published the third edition of his book *Cross Examination: Science and Techniques* (Pozner and Dodd, Lexis Law Publishing), proving graduating "summa cum barely" is no bar to success.

## ADJUNCT PROFESSOR JOHN MALONE DIES AT 93

**JOHN MALONE**, a beloved adjunct professor, died on July 27 in Santa Ana. He was 93.

John's career at UC Hastings began in 1979 when he joined the faculty as an adjunct. He quickly earned a reputation as a warm and kind colleague and teacher.

"I was lucky to be one of John's students, as well as his office neighbor for a short time," said Sarah Hooper, adjunct professor and executive director for the UCSF/UC Hastings Consortium on Law, Science & Health Policy. "He was a kind person with a delightful sense of humor who took genuine interest and care with his students and colleagues. He will be greatly missed."

John was born in Prescott, Arizona, on Feb. 8, 1926. He graduated from Loyola Law School in 1952. Prior to embarking on a teaching career, he held positions with the Los Angeles and San Francisco offices of the State Bar of California.

Chancellor & Dean David Faigman remembered John fondly. "John was an incredibly important member of the UC Hastings community, attending virtually every faculty meeting, colloquium, and scholarly presentation over his many years at the school. He taught professional responsibility to generations of students, and, by his character and good acts, he modeled what it meant to be an ethical and caring lawyer for those generations of students." Faigman added, "John will be deeply missed, but well remembered, by all that had the good fortune to know him."

John is remembered inside of the classroom for teaching ethics and professional responsibility. But it's his lessons outside the classroom on compassion and generosity that will be remembered most.

"John was the kind of person who, when life gave him lemons, not only made lemonade but shared it," said Marsha Cohen, the Honorable Raymond L. Sullivan Professor of Law. "He was the kind of person who remembered that little kindnesses can make someone's day."





Michael A. Kelly '76,  
Richard H.  
Schoenberger '85,  
and Matthew  
Davis '89.

## A \$1 MILLION GIFT FROM STELLAR ALUMNI-LED FIRM

→ Generous support from **Michael A. Kelly '76, Richard H. Schoenberger '85, and Matthew Davis '89** of the renowned Walkup firm will go toward institutional advancement and scholarships

**M**ichael A. Kelly '76, Richard H. Schoenberger '85, and Matthew Davis '89 are giants of the personal injury bar. The three alums—with the support of their renowned firm, Walkup, Melodia, Kelly & Schoenberger, which is home to more than a dozen UC Hastings graduates—have committed \$1 million to the law school.

Kelly, Schoenberger, and Davis have each brought countless claims on behalf of plaintiffs injured in traffic collisions, by defective products, on dangerous property, and through government negligence. Their work inside the courtroom has resulted in multimillion-dollar verdicts and settlements, while outside the courtroom, they have volunteered their time to teach trial advocacy on a national and international basis for decades.

"We are proud to be UC Hastings alums," they said. "The school has been the wind at our backs all of these years. We fully recognize the escalating and sometimes prohibitive costs of the

outstanding education Hastings provides. We want others to experience the same academic excellence that we enjoyed and, with this contribution, hope to make it easier for those who have come after us."

The gift will support the Dean's Discretionary Fund, equipping Chancellor & Dean David Faigman with the flexibility to address institutional priorities. Those include broadening academic resources, providing student support, and attracting top-tier faculty. The gift will also establish the Walkup, Melodia, Kelly & Schoenberger Scholarship Fund.

The main lecture hall in the new academic building at 333 Golden Gate Avenue will also bear the Walkup, Melodia, Kelly & Schoenberger name. The building will house classrooms, clinics, and administrative offices. It is expected to open by spring 2020.

"There aren't many law schools that are able to offer the type of innovation, academic rigor, and level of hands-on practice that UC Hastings is able to offer its students," noted Schoenberger. "With the new academic building and continued commitment to excellence, UC Hastings is shaping the future of legal education. We're proud to support UC Hastings with this foundational gift."

## MEET THE NEW BOARD MEMBERS

→ Eighteen alumni join the Foundation board of trustees and Alumni Association board of governors.

### NEW FOUNDATION BOARD OF TRUSTEES MEMBERS

**Judith Boyette '81** is senior partner in the employee benefits group of Hanson Bridgett; she also served as associate vice president, human resources and benefits, for the University of California for more than a decade.

**Charanjit Brahma '99** is a trial lawyer who focuses on patent litigation and other intellectual property matters, primarily for pharmaceutical and technology clients.

A partner in Gordon Rees Scully Mansukhani's employment practice group,

**Alyson Cabrera '02** represents private and public entities—including schools and hospitals—in employment-related matters.

**Shaye Diveley '01** is a member of the land use and environmental law practice group at Meyers Nave.

**Paulina do Amaral '96** is a partner in Lief Cabraser's New York office and a senior member of the firm's mass tort and injury practice team.

**Elizabeth A. England '78** is of counsel at Clark Hill; she is also a past chairwoman of the litigation section of the California State Bar and served on its executive committee.

A corporate partner at Kirkland and Ellis, **Samantha Good '97** concentrates on debt financing transactions.

**Shireen Advani Lee '99** is senior legal manager at International SOS.

One of Hawaii's most experienced construction law attorneys, **Harvey Lung '81** is widely regarded as a leader in his field.

**John Stephens '78** is a partner at Mulvaney Barry, specializing in business, real estate and commercial litigation, and real estate transactions.

**Nicholas Yoka '16** is an attorney with Panish Shea & Boyle, concentrating on catastrophic personal injury, wrongful death, dangerous condition, and product liability cases.

### NEW ALUMNI ASSOCIATION BOARD OF GOVERNORS MEMBERS

**Eduardo Alfonso Angeles '90** is in-house senior counsel to Los Angeles World Airports. Previously, he served as the Federal Aviation Administration's associate administrator for airports.

An associate at Ropes & Gray, **Danielle Bogaards '16** focuses on business and securities litigation for complex commercial disputes as well as government investigations.

**Joseph Joey Boyd '05** has represented a range of clients, from small family farmers to overseas real estate developers to some of the largest fruit packers in the world.

**Elizabeth Delaney '92** joined the Federal Trade Commission in 2000 and has served as an attorney adviser to Commissioner Joshua D. Wright since 2013.

Vice President, Product Legal, at Salesforce, **Theodore Gizewski '96** also served as deputy general counsel at Workday and as assistant general counsel at Microsoft.

**Ryan Lewis '15** is an associate at Troutman Sanders, where he focuses on intellectual property and commercial litigation.

**Patricia O' Prey '96** co-founded the O'Prey Wen law firm in New York City; previously she led the internal investigations team at GE for the Alstom acquisition, the largest in GE history.

The Honorable **Allene R. Suemori (ret.) '74** served as a district judge in the Family Court of the First Circuit State of Hawaii from March 1993 until retiring in 2005.

**Adelmise Roseme Warner '01** is the global head of diversity and inclusion for SiriusXM and Pandora.





WE ARE PROUD TO BRING BACK THE CLASS GIFT CAMPAIGN WITH A GIFT THAT WILL STRENGTHEN THE UC HASTINGS COMMUNITY BY ACKNOWLEDGING AND ADDRESSING THE WRONGS OF THE PAST THAT BEAR THE HASTINGS NAME.”

—MELINA HETTIARATCHI '19



Melina Hettiaratchi '19, former San Francisco Mayor Willie L. Brown Jr. '58, and valedictorian Jennifer Bentley '19.

## THE RIGHT SIDE OF HISTORY

→ A gift from the class of 2019 addresses atrocities of the past

Accountability and transparency have been hot-button issues of late, with individuals and corporations increasingly facing up to offenses past and present. Universities have not been exempt from such culpability.

Recognizing this, the class of 2019 made a gift to establish the Annual Native Law and Policy Symposium, a lecture series that “aims to bring awareness to the historical and existing legal frameworks that have created or perpetuated the subordination of Native and indigenous populations in Northern California and the broader United States.” The fund was created with the goal of raising \$15,000.

ASUCH President **Melina Hettiaratchi '19** announced the gift in her speech at the law school's Commencement ceremony on May 11. “We are proud to bring back the Class Gift Campaign with a gift that will strengthen the UC Hastings community by acknowledging and addressing the wrongs of the past that bear the Hastings name,” she said.

Serranus Hastings is known as the College's founder and first dean as well as the first chief justice of the California Supreme Court. However, in 1859, he was also a member of a coalition of landowners responsible for the murder of at least 600 Yuki native people in Mendocino County's Round and Eden valleys. The violence was part of a drive to eliminate the state's indigenous population and take their lands and resources.

The College acknowledged this brutality by creating the UC Hastings Legacy Review Committee in 2017. Chancellor & Dean David Faigman charged the committee with determining the extent of Justice Hastings' involvement with the bloodshed and recommending the appropriate institutional response. After concluding that Justice Hastings was indeed part of the actions in question, UC Hastings representatives began ongoing discussions with the InterTribal Sinkyone Wilderness and Round Valley Indian Tribal councils to examine ways to redress the atrocities.

Members of the graduating class met with the tribal council to get feedback on how the symposium could best lift their voices moving forward. “We hope [the UC Hastings community] will join us in supporting the healing of communities past and present,” Hettiaratchi said.



Cheryl Hetherington '79, Chancellor & Dean David Faigman, Alan M. Oshima '76, Constance Lau '77, and Crystal Rose '82.

## HAWAII TIES

→ Alumni gala honors **Alan M. Oshima '76** and raises money for the UC Hastings Hawaii Scholarship Fund

“**O**hana” means family in Hawaiian, and the long association between UC Hastings and the Aloha State bears all of the hallmarks of a familial relationship.

That connection goes back to the 1950s when students from Hawaii were allowed to pay in-state resident tuition at UC Hastings, making it the mainland school of choice for many prospective lawyers. Even after the policy ended, UC Hastings drew a wealth of students from Hawaii; today, that alumni group includes esteemed judges, politicians, and legal and industry leaders.

One luminary is Alan M. Oshima '76, the president and CEO of Hawaiian Electric Co., who was honored by UC Hastings and the Hawaii alumni at a gala on April 11 at the Pacific Club in Honolulu. The celebration was attended by some 250 guests and raised \$132,000 for the UC Hastings Hawaii Scholarship Fund.

“There are so many people, in and outside the legal community, who know Alan and wanted to join us in honoring him,” said **Cheryl Hetherington '79**, who co-chaired the event along with **Constance Lau '77** and **Crystal Rose '82**.

“Alan is an amazing person and we have been friends for a long time, since our UC Hastings days,” added Lau, who, as president and CEO of Hawaiian Electric Industries, is also Oshima’s colleague. “People who grow up in Hawaii really value education and the capabilities that it gives us to do things for others. Alan took the knowledge and skills that UC Hastings provided him and became not just a great legal and business leader but also a leader for the Hawaii community.”

The Hawaii Scholarship supports deserving students with a substantial connection to Hawaii, said Hetherington, whose

husband, **George Hetherington '78**, is a trustee of the UC Hastings Foundation and a member of the selection committee. “Both George and I recognize that we benefited from the UC Hastings legal education and being in San Francisco. We want to help young people who want that experience and make it a little easier for them.”

Lau also credits her time at UC Hastings with shaping her career, and she hopes to give upcoming students a similar opportunity.

“It’s a wonderful time to support UC Hastings and Dean Faigman’s vision for the school,” Lau said. “I’m excited about the possibilities for the future.”

“

IT’S A WONDERFUL TIME TO SUPPORT UC HASTINGS AND DEAN FAIGMAN’S VISION FOR THE SCHOOL. I’M EXCITED ABOUT THE POSSIBILITIES FOR THE FUTURE.”

—CONSTANCE LAU '77





# CELEBRATING BEER ON THE BEACH

After decades of bringing the UC Hastings community together at 198 McAllister Street, the festive tradition is getting a new home next year

Young people stand in small groups and lounge on benches in the sun, chatting and sipping beer and wine. Others walk to grab glasses of champagne or soda, or to refill their cups at one of four free-flowing kegs. Toward the back of the patio, people sit at picnic tables munching on slices of pizza and other snacks. Near the entrance, revelers line up to get through security. All food and drinks are on the house.

This isn't an outdoor festival or VIP party—it's just a regular Thursday afternoon at UC Hastings. Five times a semester, from 3:30 p.m. until the beer runs out, Beer on the Beach takes over the concrete plaza in front of 198 McAllister Street. (If it's raining, the event sometimes moves indoors to the Law Cafe or the Louis B. Mayer Lounge.) Some 500 students—around half of the student body—stop by at each gathering to socialize, enjoy the refreshments, and catch their breath between classes.

"Because our school is in the center of a city, it doesn't have a quad like most universities," said 3L **Myell Mergaert**, who is president of the Associated Students

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BECAUSE OUR SCHOOL IS IN THE CENTER OF A CITY, IT DOESN'T HAVE A QUAD LIKE MOST UNIVERSITIES. BEER ON THE BEACH BECOMES THAT MEETING PLACE WHERE EVERYONE CAN COME TOGETHER.”

—3L MYELL MERGAERT



198 McAllister  
in earlier days.

of UC Hastings (ASUCH) and organized last year's events as director of community affairs. "Beer on the Beach becomes that meeting place where everyone can come together."

On March 26, 2020, however, Beer on the Beach will be held for the last time at its current location. After that, the beloved happy hour events will relocate to a fresh spot on campus as part of UC Hastings' innovative plans to construct



a new academic village in the heart of San Francisco. The academic buildings at 198 McAllister Street and 50 Hyde Street will give way to 618 new campus housing units and related amenities, including ground-floor spaces that integrate with the surrounding community. Meanwhile, a new LEED Platinum-certified academic building at 333 Golden Gate will open in January 2020.

The decadelong project, developed in collaboration with UCSF, will reduce the campus's carbon footprint while creating state-of-the-art living and working spaces for students and faculty from both universities. Shared classrooms, clinical spaces, institutes, and departments will enable collaboration across schools and among professional and graduate students across many disciplines. Overall, the project will involve constructing or rehabilitating structures across three-fourths of UC Hastings' current two-block footprint.

### A Deep-Rooted Tradition

Even though the "beach," such as it is, will be no more, Mergaert hopes that the spirit of Beer on the Beach stays alive no matter where it is held in the future. It's unclear exactly when the tradition got its start, but the "beach" has been the setting for countless community events since the 198 McAllister building was built in 1953. The "patio," as it was known in its early days, was the site of protests over the war in Vietnam, apartheid, and sexism. The locale got its nickname in 1983, when the Alumni Association dumped sand in the plaza for a Last Day of Classes Celebration. Since then, the "beach" has hosted orientation lunches, apartheid protests, and of course, plenty of Beer on the Beach.

In more recent years, the events have become about much more than eating



Top: Students playing hacky sack in the 1990s. Above: Members of 1989's Legal Education Opportunity Program.

*Do you have any fond memories of the beach or photos from the beach while you were on campus? We'd love for you to share them with us. Send your photos and memories to [web@uchastings.edu](mailto:web@uchastings.edu).*

and drinking. Student or faculty organizations sponsor each gathering, which includes providing food and engaging with students. Last year, the school's moot court team planned a March Madness-themed event; Outlaw, the LGBTQIA student organization, led an awareness campaign around gender identity; the Trial Team promoted its tryouts; and clinical programs shared information about their offerings. Other student events, such as fundraisers and bar nights, often followed Beer on the Beach.

Mergaert says the events are a way to promote wellness and foster a sense of

“

AT BEER ON THE BEACH, YOU CAN HAVE REALLY MEANINGFUL CONVERSATIONS, BE FUN AND SILLY, AND FIND A PLACE TO BREATHE. THE MASK OF LAW SCHOOL GOES AWAY, AND YOU GET TO SEE PEOPLE RELAXED AND WHO THEY REALLY ARE.”

—3L MYELL MERGAERT



Above: Lawyers-to-be on campus. Below: Student orientation in 1991.



belonging in what can be a stressful academic environment. “Especially in your first year, it can be hard to have a sense of community with your peers because you feel pitted against each other and worry about whether others are better than you,” he said. “At Beer on the Beach, you can have really meaningful conversations, be fun and silly, and find a place to breathe. The mask of law school goes away, and you get to see people relaxed and who they really are.”

For Mergaert, those interactions have led to connections that are likely to last far beyond graduation. “Beer on the Beach was always the beginning of something, whether that was going on to dinner or bowling or mini-golf,” he said. “It really facilitated a lot of my friendships in my first year. It’s somewhere with a place for everyone.”

Mergaert says even more fleeting connections have proved beneficial by strengthening his professional network. “I may have a really great conversation with someone from my civil procedure class. Next time, it’ll be easier to start a conversation or ask that person a question,” he said. “Even if I never see him again during law school, we’ll remember each other if we meet again five years from now. It’s been a really good networking tool and expanded my community.”

Now, Mergaert and his fellow law students look forward to celebrating the last Beer on the Beach in style, as it’s been such an important part of their law school experience.

“Whatever new form Beer on the Beach takes in this next stage of its life, I hope it stays true to what it is,” he said. “I think it’s a great community event and a really important social mechanism for facilitating positive, healthy relationships and building networks.” After all, he said, “it’s tradition.”



## MOOT COURT PROGRAM NO. 2 IN NATION

→ A victorious year for the UC Hastings Moot Court program included four national championships

**UC** Hastings chalked up four national championships—plus five Best Briefs Awards and five Best Oral Advocate Awards, among many other top honors—over the past year at moot court competitions across the country.

“Moot Court is the highest-ranked program at UC Hastings,” said **Toni Young '76**, senior assistant dean of UC Hastings Legal Writing and Research. “Our winning tradition is a reason that many students choose to attend UC Hastings. Having ‘national champion’ on your resume is a basis for being a leader in government work, corporations, public service, big firms, clerkships, and every other type of legal job.”

In October 2018, **Miranda Rowley '19** and **Karl Johnston '19** brought their passionate



advocacy and knowledgeable articulation of the law to Washington, D.C., where they won the national championship at the Burton D. Wechsler National First Amendment Moot Court Competition.

The Tulane Sports Law Moot Court Competition national championship went to the UC Hastings team of **Justin Bargar '19**, **Joe Dietrich '19**, and **Kaitlin Carragher '19** in March. In

addition to the top award, the team brought home a Best Brief Award, and two oralist prizes awarded to Carragher.

Also in March, it was off to Madison, Wisconsin, to score the national championship at the Evans Constitutional Law Competition.

**Rowley** and **Laura Anderson '19** dominated the Dean Jerome Prince Memorial Evidence Competition in New York in the same month, beating out other teams with their arguments of two Fourth Amendment issues. Anderson was named Best Oral Advocate.

All these victories, plus many more at various competitions over the past year, translate into the UC Hastings program being ranked second in the nation. It has been in the top five for the past five years, including twice being first. The program is supported by many generous donations, including from former California Supreme Court Associate Justice **Marvin Baxter '66** and Jane Baxter, for whom the UC Hastings Moot Court facility is named.

Below: Final round judges with Laura Anderson '19 and Miranda Rowley '19 at the Prince Competition in New York.



OUR WINNING TRADITION IS A REASON THAT MANY STUDENTS CHOOSE TO ATTEND UC HASTINGS. HAVING ‘NATIONAL CHAMPION’ ON YOUR RESUME IS A BASIS FOR BEING A LEADER IN GOVERNMENT WORK, CORPORATIONS, PUBLIC SERVICE, BIG FIRMS, CLERKSHIPS, AND EVERY OTHER TYPE OF LEGAL JOB.”

—TONI YOUNG '76

# FIAT JUSTITIA

**When you think of moot court programs,  
think of UC Hastings Law**

Four national titles in 2018-19.

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LET'S CELEBRATE!

→ We invite you to save the date for a ribbon-cutting, celebrating the opening of 333 Golden Gate. We'll also bid farewell to our building at 198 McAllister with a final Beer on the Beach.

**THURSDAY, MARCH 26, 2020, 3 P.M.**

→ FOR MORE, VISIT [UCHASTINGS.EDU/EVENTS](http://UCHASTINGS.EDU/EVENTS)